

JOURNAL

OF

THE SENATE

OF THE

COMMONWEALTH OF KENTUCKY,

BEGUN AND HELD IN THE TOWN OF FRANKFORT, ON FRIDAY, THE THIRTY FIRST DAY OF
DECEMBER, IN THE YEAR OF OUR LORD, 1847, AND OF
THE COMMONWEALTH, THE FIFTY SIXTH.

FRANKFORT, KY.
A. G. HODGES, STATE PRINTER.
1847.

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JANUARY

THE SENATE

OF THE

COMMONWEALTH OF KENTUCKY

REPORT AND RECORD IN THE SENATE OF THE COMMONWEALTH OF KENTUCKY
FOR THE YEAR 1881

W. G. MOORE, STATE PRINTER.
1881.

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JOURNAL OF THE SENATE.

At a General Assembly, begun and held for the State of Kentucky, at the Capitol, in the town of Frankfort, on Friday the 31st day of December, one thousand eight hundred and forty seven, it being the day appointed by law for the meeting of the General Assembly, the following members of the Senate appeared and took their seats, to-wit :

From the first Senatorial District, Thomas James; from the second, William Bradley; from the third, Ben. Edwards Grey; from the fourth, James V. Walker; from the fifth, John G. Holloway; from the seventh, B. Mills Crenshaw; from the eighth, William N. Marshall; from the ninth, Ambrose S. Bramlette; from the tenth, Parker C. Hardin; from the eleventh, Robert A. Patterson; from the twelfth, Charles Hambleton; from the thirteenth, William C. McNary; from the fourteenth, John L. Helm; from the sixteenth, Samuel S. English; from the seventeenth, John W. Russell; from the nineteenth, George C. Thurman; from the twenty first, James Brien; from the twenty second, Fountain T. Fox; from the twenty fourth, James S. Henderson; from the twenty fifth, James R. Hawkins; from the twenty sixth, John J. Thomas; from the twenty seventh, George W. Williams; from the twenty eighth, Samuel F. Swope; from the twenty ninth, William K. Wall; from the thirtieth, Stilwell Heady; from the thirty first, Robert S. Todd; from the thirty second, David Thornton; from the thirty third, Samuel M. Taylor; from the thirty fourth, James M. Rice; from the thirty fifth, Wilson P. Boyd; from the thirty sixth, John F. McMillan; from the thirty seventh, Thomas I. Young; from the thirty eighth, Alexander White.

The said Ben. Edwards Grey, Charles Hambleton, Samuel S. English, Wilson P. Boyd, John F. McMillan, Thomas I. Young, and Alexander White, severally produced certificates of their election, and took the oaths required by the Constitution of the United States, and the Constitution of this State.

The Lieutenant Governor and Speaker of Senate being absent, Mr. Henderson nominated Mr. Robert A. Patterson as a proper person to fill the office of Speaker of the Senate for the occasion.

There being no other person put in nomination to fill said office, Mr. Patterson was declared unanimously elected Speaker of the Senate for the occasion.

Theodore Kohlhass was unanimously elected Clerk of the Senate during the present session. Whereupon he took the several oaths required by the Constitution of the United States, and the Constitution and Laws of this State.

Thomas D. Tilford was unanimously elected Assistant Clerk of the Senate during the present session. Whereupon he took the several oaths required by the Constitution of the United States, and the Constitution and Laws of this State.

John D. McClure was unanimously elected Sergeant-at-Arms of the Senate during the present session. Whereupon he took the several oaths required by the Constitution of the United States, and the Constitution and Laws of this State.

Benjamin Selby was unanimously elected Doorkeeper of the Senate during the present session. Whereupon he took the several oaths required by the Constitution of the United States, and the Constitution and Laws of this State.

On the motion of Mr. Helm,

Resolved, That a committee of three members of the Senate be appointed to inform the House of Representatives that the Senate is now organized, and ready to proceed to legislative business.

And Messrs. Helm, Grey and Young were appointed a committee pursuant to said resolution.

Mr. G. Clayton Slaughter, a member of the Senate from the eighteenth Senatorial District, appeared, produced a certificate of his election, and having taken the several oaths required by the Constitution of the United States, and Constitution of this State, took his seat.

And then the Senate adjourned.

SATURDAY, JANUARY 1, 1848.

A message was received from the House of Representatives, by Mr. L. Combs, announcing that they had met and organized, and are now ready to proceed to legislative business, and had appointed a committee on their part to wait upon the Governor and inform him that the General Assembly have convened, and are now ready to receive any communication he may think proper to make.

Mr. Helm moved the following resolution, which was unanimously adopted, to-wit :

Resolved, That a committee of three be appointed, on the part of the Senate, to wait upon his Excellency, the Governor, and inform him that Legislature is now organized, and ready to receive any communication he may choose to make.

And Messrs. Helm, Rice and Williams were appointed a committee pursuant to said resolution.

The committee on the part of the Senate retired, and after a short time returned, when Mr. Helm reported that the joint committee had performed the duty assigned them, and were informed by the Governor that he would make a communication in writing, to each House, in ten minutes.

1. Mr. Helm presented the petition of Benjamin All, who stands indicted in the Jefferson Circuit Court, for passing counterfeit money, praying for a change of venue.

2. Mr. Boyd presented the petition of sundry citizens of Fleming county, praying for the passage of a law authorizing the County Court of said county to make adequate provision for the support of Mary Terhoun, a poor person, without requiring her to go to the county poor house.

3. Mr. Fox presented the petition of C. Kendrick and others, members of the Christian church, at Stanford, praying for the passage of a law incorporating said church.

4. Mr. Hardin presented the petition of Rice Maxey, of Clinton county, praying for the passage of a law allowing him to import certain slaves into this State from the State of Tennessee.

Which petitions were severally received and referred—the 1st to the committee on the Judiciary; the 2d and 4th to the committee on Propositions and Grievances, and the 3d to the committee on Religion.

A message in writing, was received from the Governor, by Mr. Reed, Secretary of State, which was read as follows, to-wit:

Gentlemen of the Senate,

and House of Representatives :

The revolution of a year has brought us to the commencement of another session of the General Assembly. The circumstances under which you have assembled are eminently calculated to inspire us all with feelings of profound gratitude and thanks to the Supreme Ruler of the Universe for his countless blessings. Though the country is still afflicted with an unhappy war with a foreign nation, the affairs of our State have experienced no unfavorable change since the adjournment of the last General Assembly, and are, at present, in a highly flattering condition. Our people are not only in the enjoyment of health, but our State, in all its parts, abounds with most of the comforts and all the necessities of life, and never, since I came into of-

fice, has there been a time when the fiscal concerns of the Commonwealth presented a brighter aspect than at present.

The means of the State have enabled those with whom payment was intrusted, to discharge promptly all demands which came against the State, in the fiscal year ending on the 10th of October last, and the means will be ample to meet all demands which may come against the State in the year ending the 10th of October, 1848.

After paying all demands that came against the Treasury, there remained \$19,269 23 in it, on the 10th of October, 1847; and from an estimate made by the Second Auditor, there will probably remain in the Treasury, on the 10th of October, 1848, the amount of \$19,048 90, after paying all demands which may come against it up to that time.

Including \$20,503 which remained in the Treasury on the 10th of October, 1846, the receipts of the Treasury, for the year ending the 10th of October, 1847, amounted to \$419,143 46; and there was paid out, in the same year, \$399,847 23.

The estimated receipts of the Treasury, for the fiscal year ending the 10th of October, 1848, including \$19,269 23, which remained in it on the 10th of October, 1847, amount to \$407,621 93; and it is supposed that the demands upon the Treasury, for the same year, will amount to \$388,573 03.

For more detailed information upon these subjects, I refer you to the First and Second Auditor's and Treasurer's reports, which will be laid before you.

The revenue which was payable in the last fiscal year, has been accounted for with commendable promptness. With the exception of about \$18 80, the entire amount was paid by the collectors into the Treasury before the 10th of October last.

Taxable property has also been listed by the Commissioners appointed for that purpose the present year, with more benefit to the State than has been done in years past. The amount of tax on property listed the present year, exceeds the amount on property listed the year preceding, a fraction above four per cent. It is apparent, however, from an inspection of the books returned by the Commissioners to the Second Auditor, that a part of them have failed, most palpably, to fulfil the duties enjoined by law upon every Commissioner. This is an evil affecting the interest of the entire community, and addresses itself emphatically to the attention of the General Assembly.

In giving the present condition of the public debt, I need not go back further than the beginning of the last General Assembly. I should fail were I to attempt to present a more perfect analysis of the debt outstanding against the State at that time, than is contained in the message which I then communicated to the Legislature. The funded debt was stated, at that time, to amount to \$4,596,026. Besides \$426 of Internal Improvement Scrip which was then payable, a portion of that debt consisted of \$49,600 of six years bonds, which were and have since become payable, \$84,000 of Railroad

bonds which will become payable in 1848 and 1849; and in a still greater amount of five per cent. bonds which will not become payable for several years to come.

With a view to provide means to extinguish these several liabilities on terms acceptable to the creditors, and terms advantageous to the State, authority was given to the Governor and Commissioners of the Sinking Fund to issue and sell other bonds of the State. Acting under that authority, it was deemed advisable, by the Commissioners, that a sale should be made; and in conformity with their advice, as Governor, I have issued and sold six per cent. bonds to the amount of \$61,000. The bonds were made payable thirty years after date, but redeemable at the pleasure of the State, any time after fifteen years from their date.

The sales were made on such terms as realized to the State the par value of the bonds. The amount of sales was placed in the Treasury to the credit of the Commissioners of the Sinking Fund. With the means thus obtained, and others belonging to the Sinking Fund, and not needed to pay interest, the Commissioners in the course of the present year paid:

5 per cent. bonds,	-	-	-	-	\$21,000 00
6 per cent. 6 years bonds,	-	-	-	-	26,800 00
6 per cent. (Railroad) bonds,	-	-	-	-	3,000 00
Internal Improvement Scrip,	-	-	-	-	40 14
Total amount of payments,	-	-	-	-	<u>\$50,840 14</u>

This amount of payments deducted from the amount (\$61,000) of bonds sold, leave \$10,159 86; which, added to \$4,596,026, the aggregate amount of debt outstanding at the date of my last annual message, makes the present funded debt of the State amount to \$4,606,185 86.

Thus it will be perceived that the funded debt of the State has been increased the present year, above what it was at the commencement of the last General Assembly the amount of \$10,159 86. But there remains after the payment of all interest which has accrued and which may accrue up to the first Monday in January, 1848, an unexpended balance of the means of the Sinking Fund greatly more than sufficient to cover the increase of the State debt, and which would have been applied to the reduction of that debt had not the Commissioners been prevented from so applying it by the failure of holders to present their bonds for payment.

Desirous to extinguish as soon as possible all the six years bonds which had become payable, as required by the 6th section of the act of Assembly, approved 23d of February, 1846, I issued and had published a proclamation, notifying the holders of such bonds, that the Government would, on the first Monday in August, 1847, at the Treasury, make payment and redeem all of said six year bonds, and that not more than *four per cent.* per annum interest would be thereafter paid on bonds not presented for pay-

ment on that day. The effect upon the bond holders was not such as I had hoped, nor such as was doubtless anticipated by the passage of the act. The bonds were not all presented on the day designated, nor have they yet been all presented. There still remain outstanding \$ 22,800 of those bonds; so that under the law as now in force, the State is burthened with four per cent. interest upon bonds due and payable, and which the State has long been ready to redeem, but which has been prevented by the failure of bond holders to present them for payment, though notified to do so. This is unjust to the State and should not longer be tolerated. I therefore recommend the repeal of that clause of the act which subjects the State to payment of four per cent. interest.

Funds have been transmitted to the City of New York adequate to the payment of the instalment of interest which becomes payable at that place on the first Monday in January, 1848. After the payment of that instalment, and after the payment of all other demands for interest or otherwise, which in the present year came against the Sinking Fund, there remained in the Treasury on the first of December, 1847, subject to the order of the Commissioners of the Sinking Fund, an unapplied residue of \$40,599 84. Including this sum, I am happy to assure you, that if not withdrawn and applied to other objects, the means of the fund will be more than sufficient to pay all the outstanding six years and railroad bonds, which may be payable the coming year, amounting to \$69,800 00.

It is estimated that there will in the present fiscal year, be received from all sources by the Sinking Fund, \$326,600, which, when added to \$40,599 84 in the Treasury, as already stated, makes an aggregate amount of \$367,199 84.

Including the instalment of interest which will become payable on the 1st Monday in January, 1849, there will be required in the same year to meet liabilities for interest and contingent expenses, \$264,250. This latter sum deducted from the former, leaves to be applied to objects other than the payment of interest and contingent expenses, the sum of \$102,949 84. This amount will of course be applied to the reduction of the public debt, in such manner as is before indicated, and by the purchase, if possible, of other bonds of the State.

An estimate more in detail, of the resources and demands upon the fund for the coming year will accompany the report of the Commissioners, and be laid before you, and to which you are referred for more full information. It is, I think, not at all probable, that any item of the supposed receipts of the coming year will fall below the estimates. The receipts derivable from turnpike roads and the river navigations, hang upon more uncertain contingencies than those derivable from other sources, and we have no good reason to apprehend that less than the amount estimated will be received from either.

The receipts from the Kentucky River Navigation, which had, each preceding year, been increasing, have, in the fiscal year ending the 10th of October last, experienced a further increase, and will likely continue to increase the present fiscal year. The gross receipts from that navigation, in the last fiscal year, exceeded the gross receipts of the year ending the 10th of October, 1846, the amount of \$7,836 66. After deducting all expenses, swelled, as I understand they were, by the unusual need of repairs on the public works, beyond what will probably be needed in the present fiscal year, there was received in the year ending the 10th of October last, by the Treasury, from that Navigation, for the use of the Sinking Fund, \$29,070 30. The receipts of the preceding year, from the same source, after deducting expenses, amounted to \$29,173 58.

The gross receipts from the Green and Barren River Navigation have also, in the fiscal year ending the 10th of October, 1847, exceeded the receipts of the preceding year, \$682 87. In the year ending 10th of October last, after deducting what was received in that year for previous years, amounted to \$9,400. The gross receipts of the preceding year amounted to about \$8,727 13. The expenses of the year ending the 10th of October last exceeded the amount of receipts, but it is, I understand, not probable that the expenses will be so great in future, and we have reason to believe that not less than the amount estimated will be realized from that navigation by the Sinking Fund in the present year. I refer you, for more full information as to the river navigation, to the report of the Board of Internal Improvement.

The receipts from the Turnpike roads, for the fiscal year ending the 10th of October last, exceeded the receipts of the preceding year, and as I have said, we have no reason to anticipate a decrease in the present year.

Nor will the demands on the Sinking Fund, I feel sure, exceed the estimates. More than \$264,000 cannot be needed to pay interest, and \$250 will cover all contingent expenses. A larger amount was needed the last fiscal year to pay contingent expenses, but a considerable part of those expenses grew out of the settlement with the Commissioners of the Sinking Fund, under the act of the 10th of February, 1845; and with no outstanding claims against the Fund, I am satisfied that not more than \$250 will be required to pay contingent expenses in the present fiscal year.

It must therefore be a source of peculiar satisfaction to witness the flattering condition of the Sinking Fund. The annual contingent expenses of the Fund, including exchange and interest on Bank loans, which in a succession of former years averaged upwards of \$6,000, and which in some years ran up as high as \$14,000, have been brought down to the inconsiderable sum of \$250 for the present year. The resources of the Fund, at first inadequate to meet the objects proposed, have become not only sufficient to pay all the interest accruing annually on the public debt, and all incidental ex-

penses, but in the two preceding years have enabled the Commissioners to commence reducing the amount of the public debt, and in the present fiscal year will yield them the very considerable surplus of \$102,949 84, to be applied to its further reduction. The funded debt of the State, which had for a series of years been accumulating, until in 1844 it amounted to \$4,671,503, has since that time been undergoing a gradual but steady reduction; and during the present fiscal year the means will be possessed to reduce the debt to \$4,503,236, which reduction, agreeable as it must be to the people of the State, I confidently expect will be made before the termination of my administration of the State's affairs.

Besides, it is well known the State is in possession of other means by which part of the public debt may be paid without burthening the people with taxation. These means consist of stock in the several Banks of the State, amounting, as stated in my last annual message, to \$1,270,500; this sum deducted from \$4,503,236 leaves \$3,232,736, which may be considered the actual burthen of debt that will remain outstanding at the end of the present fiscal year.

Of course the possession, by the State, of the Kentucky and Green and Barren River Navigations, and her interest in bridges, and turnpikes, public works of great value, and of annually increasing revenue, may be considered as available means for the further reduction of that reduced debt of \$3,232,736.

These figures are predicated on the supposition, that the Commissioners of the Sinking Fund will be able to apply all of their surplus means of the present fiscal year, to the reduction of the public debt. If they are by any means prevented from so doing, the estimates above will have to be changed accordingly.

In connection with this subject, I have the pleasure to inform you that, as required by law, all the paid coupons or interest warrants have been received by the Commissioners of the Sinking Fund, and registered in books kept for that purpose in the office of the Auditor. The coupons so received and registered, have also been cancelled and burnt in the presence of the Secretary of State, First Auditor and Treasurer.

With regard to the Penitentiary, I am able to inform you that the buildings intended for an eating house and chapel which were under contract, at the date of my last annual message, have been completed. There has also been erected, since the adjournment of the last Legislature, a blacksmith shop in the Penitentiary as required by an act of that session. The contracts for the buildings have all been filled with fidelity and satisfaction on the part of the Keeper, and I am pleased to inform you that the institution is at this time provided with buildings of superior order, and better adapted to the business of the Penitentiary than at any former period.

The convicts in the Penitentiary on the first day of December, 1847, numbered twenty one less than were in the Institution on the first day of December, 1846. One has died and six escaped during the present year. The convicts are generally in good health.

The Institution realized a profit, in the last year, exceeding the amount of annual profit guaranteed to the State by the Keeper. This estimate includes all accounts of the Institution outstanding on the first of March last, a portion of which may not and doubtless cannot be collected. It is, however, presumable, from the increased prices of the principal articles manufactured in the Penitentiary, that the present will be a year of greater profit.

But I would not be understood as indicating an opinion, that the failure to make greater profits has resulted from any fault of the Keeper. In a former message, I expressed my confidence in the rectitude of the conduct of the Keeper, and I have seen nothing to change that opinion. On the contrary, considering the many and peculiar difficulties with which he has had to contend, many of a very disheartening character, I have had occasion to admire his fortitude and his energy, and his fidelity, as I conceive, to his contract with the State. I have no reason to believe that any other could have done better.

I am not of the opinion, that under the present system of managing the Institution, any considerable pecuniary benefit will ever be realized by the State. But whether any other system less objectionable or better calculated to attain the objects of the Institution, can be devised, is for the wisdom of the Legislature to determine. The term of the present Keeper will expire on the 1st of March, 1849, and in anticipation of that time, provision should be made by legislative enactment for the future management of the Institution. The law under which the present Keeper was elected, will cease to be in force after the end of his term.

In connection with this subject, I will say to the Legislature, that I have received the third annual report of the Prison Association of the State of New York, with a request that I shall call your attention to the same. This Association is composed of gentlemen eminent for talents and philanthropy, and their object is to collect and disseminate facts relating to Prison Discipline in all its bearings, both on convicts and governments. Their report is voluminous and would be well worthy of the enlightened attention of any members of your body, who may choose to call at the Executive Office and examine it.

But, gentlemen, I should fail in my duty, were I not to invite your attention to a subject which, in my judgment, is of far higher importance than either of those to which I have already alluded. It is a subject not only applicable to the tax payer, but applicable equally to him who has nothing to pay; to the poor as well as to the rich; to all, whatever may be their circumstances or condition. It addresses itself to no particular interest, but com-

prehends in its bearings all of every order and pursuit. It is limited to no particular interest in exclusion of all others, but reaches every interest, whether of individuals, associations, or the community at large.

It needs only to be named for its importance to be acknowledged and felt. Who will deny the immense importance of Education? Who so debased in sentiment as not to perceive and appreciate its benefits? Where is the individual, be his pursuits what they may, who would willingly decline its advantages? Where the father who would willingly cast his child upon society, destitute of its blessings?

But I need not indulge further in reflections like these. The importance of education is so universally acknowledged, and has been so repeatedly recognized by our legislative enactments, that nothing I could say would make it more manifest.

But whilst all admit its importance, we have to lament that so little has been done to advance the cause of Education. Statute after statute has been enacted, setting apart and dedicating funds to the object of education; but when we turn to the generation rising around us, what a vast number do we behold, wholly destitute of the means by which they might become enlightened and useful citizens. Why is this suffered to be so? We have on our statute book what is denominated a System of Common Schools; but hitherto it has been barren of results. The subject was treated of in my last annual message, and I then attempted to point out some of the wants of the system, without which, in my judgment, it could never succeed. In my subsequent reflections I have become more fully satisfied that the views there presented are correct, and I refer you to what was then said, and again commend the subject to your favorable consideration.

The condition of the Education Fund is not changed from what it was last year. The report of the Superintendent of Public Instruction will give you particular information on this point, and also as to the present condition and future prospects of Common Schools.

By an act of Congress, approved January 23, 1845, it is provided, "that the electors of President and Vice President shall be appointed in each State on the Tuesday next after the first Monday in the month of November, of the year in which they are to be appointed." The time prescribed by this act differs from the time designated by the laws of Kentucky for holding elections for electors for President and Vice President. It will therefore require the further action of the General Assembly to conform to and carry out the act of Congress. As the election cannot, consistently with the act of Congress, continue longer than one day, it may be worthy of consideration whether provision ought not to be made, allowing, in some counties at least, an increased number of precincts, so that the whole vote of those counties may be fairly polled, and without delay, crowding and confusion.

In conformity to a resolution of the last General Assembly, and with permission of the widow of Major Philip Norbourne Barbour, of the 3d Regiment of the United States Infantry, who fell whilst gallantly leading his command to a desperate charge in the streets of Monterey, I caused his remains to be brought, and, with appropriate honors, buried beneath the soil of his native State, within the Cemetery at the seat of government, in testimony of the high sense of the General Assembly of his distinguished services as a patriot, his heroic achievements as a soldier, the chivalry of his life and the glory of his death. A suitable monument of marble has also been erected over his grave.

It will not, I trust, be thought altogether out of place to notice, briefly, other distinguished officers and soldiers whose loss, since the date of that resolution, our State has been brought to mourn. Whilst gallantly leading their respective commands, Col. William R. McKee, Lieut. Col. Henry Clay, and Capt. William T. Willis, of the 2d Regiment of Kentucky Volunteer Infantry, fell, accompanied by the fall of many heroic citizen soldiers, in the ever memorable battle of *Buena Vista*. Deploring most deeply their loss, and appreciating fully the motives of lofty patriotism by which they were induced to enter the service of their country, their heroic valor and distinguished services in battle, and the glory of their death, many of our fellow-citizens united with their relatives and friends, and caused the bodies of the officers, and many of their brave men who fell with them, to be brought back and buried beneath the soil of their native land. The bones of these officers and soldiers, as well the bones of the lamented Barbour, now rest within that part of the beautiful Cemetery at the seat of government, appropriated to the use of the State. It is for the Legislature to determine whether one common monument, worthy of the State and worthy of her fallen sons, shall mark the spot and tell to future ages the esteem in which a magnanimous Commonwealth holds her chivalric and devoted sons.

The swords intended as tributes to the gallantry of Maj. Gen. Zachary Taylor, Maj. Gen. Wm. O. Butler, and Maj. P. N. Barbour, and which, by resolutions of the last General Assembly, I was required to have made and presented on behalf of the people of Kentucky, were contracted for by agents appointed by me for that purpose, and I am assured that they have been finished in a style and exhibit specimens of elegance and taste well adapted to the object intended, and highly creditable to the artizans who produced them. The contract for the swords was made on the credit of the State, and should be fulfilled in good faith. An appropriation for this purpose will be necessary.

I would invite your attention to Resolutions of the Legislature of Ohio, upon the subject of the Ohio boundary, which were laid before the last General Assembly, but not acted on before their final adjournment. The Legis-

lature of the State of Virginia, I am informed, have adopted corresponding resolutions, and Commissioners have been appointed by each of those States with a view to the speedy adjustment of the boundary question, and the prevention of any future acrimonious contests growing out of it. Should the General Assembly determine that Kentucky should unite with Ohio and Virginia in the settlement of this question, early action should be had, so that Commissioners may be appointed on the part of this State to meet the Commissioners of Ohio and Virginia already appointed, and who are shortly to assemble in the City of Washington.

I have transmitted, herewith, resolutions and proceedings of the Legislatures of the States of Connecticut, Vermont, Virginia, Maine and Rhode Island, forwarded to me by the Executives of those States, under the instructions of their Legislatures, for the purpose of having them laid before you. I also lay before you a letter from the Librarian of Harvard University in relation to the Public Documents of Kentucky.

In conformity to an act of the last Legislature, I lay before you the accompanying annual report of the Visitors of the Kentucky Military Institute.

I also lay before you the report of the Commissioners appointed by an act of the last Legislature to audit and settle the accounts of the Board of Internal Improvement.

I have thus briefly adverted to such matters as seemed to require notice in giving to the General Assembly a statement of the true condition of the Commonwealth. Your better knowledge of the wants of the people whom you represent, will doubtless call to your minds many other matters equally deserving of consideration. Whatever objects may engage your attention, I hope your deliberations will be conducted in harmony, and terminate acceptably to your constituents and advantageously to our State.

It will not, gentlemen, be my duty or privilege again, in my official capacity, to meet the representatives of the people at the commencement of another General Assembly. The wheels of time, by which we have been brought to the commencement of the present session, will, in a few more months, carry us to the end of my official term. The duties and responsibilities of Chief Magistrate, which now rest on me, will then devolve upon a successor, and I shall be relieved of the cares and anxieties of office. The coming of that time excites in my breast no emotions of regret. Until then, if spared so long by a merciful Providence, I shall continue to exercise the functions of my office as I have hitherto exercised them—honestly, independently and faithfully. But, when the end of my term comes, I shall, without repining, part with the insignia of office, and pass from public station to the more desirable pursuits of private life. In doing so, however, I shall not feel altogether indifferent to public sentiment. That I should, in the performance of the many highly important and delicate duties apper-

taining to the office, incur the displeasure of none, is more than I have any right to expect. But, actuated throughout my administration by no desire other than to promote the public good, and conscious of the rectitude of my motives, I shall, with entire confidence, rely upon the liberality of my fellow countrymen to do me justice. More than justice I neither expect nor desire. During my life, a large portion of which has been spent in the service of the State, I have had occasion more than once to appeal to this tribunal from the passionate judgments of an hour; and they have never failed to sustain my course. On retiring from office, I shall carry with me grateful recollections of the confidence of my fellow-citizens, and cherish, while life lasts, an ardent desire for the happiness and prosperity of our State.

WM. OWSLEY.

January 1, 1848.

Ordered, That the Public Printer print 4,000 copies of said message, and 150 copies of the accompanying documents, for the use of the Senate.

Leave was given to bring in the following bills, to-wit:

On the motion of Mr. Marshall—1. A bill for the benefit of William B. Carlisle, Sheriff of Green county.

On the motion of Mr. Helm—2. A bill again to take the sense of the people upon the propriety of calling a Convention.

On the motion of Mr. Hardin—3. A bill to add the 13th to the 8th Judicial District, and for other purposes.

On the motion of Mr. Thornton—4. A bill to change the name of Elizabeth G. M. Douglas to that of Elizabeth G. M. Stevenson.

Messrs. Marshall, Brien and Walker were appointed a committee to prepare and bring in the 1st; Messrs. Helm, Hardin, Swope and Rice the 2d; Messrs. Thornton, Hardin and James the 4th, and the committee on the Judiciary was directed to prepare and bring in the 3d.

On the motion of Mr. Helm,

Resolved, That the Secretary of State be requested to lay before the Senate, at an early day of the session, a report of the number of votes polled at August last, favorable to calling a Convention, as reported to him by the Sheriffs of this Commonwealth.

Resolved, That the 2d Auditor be requested to furnish, at an early day of the session, a statement of the number of qualified voters in Kentucky, as ascertained under an act of the last session of the Legislature, entitled, "an act to take the sense of the people of Kentucky upon the propriety of calling a Convention."

On the motion of Mr. Boyd,

Resolved, That a committee be appointed to wait upon the several ministers of the gospel, of the town of Frankfort, and request them, alternately, to open the Senate with prayer.

And Messrs. Boyd, Russell and McMillan were appointed said committee

And then the Senate adjourned.

MONDAY, JANUARY 3, 1848.

Mr. William F. Evans, a member of the Senate from the 6th Senatorial District, and Mr. John Draffin, a member of the Senate from the 20th Senatorial District, appeared and took their seats.

Mr. Edward D. Hobbs, a member of the Senate from the 15th Senatorial District, appeared, produced a certificate of his election, and having taken the several oaths required by the Constitution of the United States, and the Constitution of this State, took his seat.

1. Mr. Heady presented the petition of Elizabeth Ann Deacon, praying for the passage of a law divorcing her from her husband, Thomas Deacon.

2. Mr. Hambleton presented the petition of Sophia Helm, the administratrix, and others, the heirs and legal representatives of Thomas D. Helm, deceased, praying for the passage of a law authorizing them to make conveyance of certain town lots sold by the said decedent in his life time.

3. Mr. James presented the petition of L. D. Berry, of Hickman county, praying for the passage of a law authorizing him to bring into this State, from the State of Tennessee, a negro woman and her two children, without incurring the penalties of the law of 1833 prohibiting the importation of slaves into this State.

Which petitions were severally received and referred—the 1st to the committee on Religion; the 2d to a select committee of Messrs Hambleton, Helm and James, and the 3d to the committee on Propositions and Grievances.

The Speaker laid before the Senate the annual report of the Treasurer, which is as follows, to-wit:

STATE OF KENTUCKY, TREASURY OFFICE, }
January 3d, 1848. }

SIR: Accompanying this note is the annual report of this Department, which you will please lay before the House over which you preside.

Very respectfully,

JAMES DAVIDSON, *Treasurer.*

HON. R. A. PATTERSON,
Speaker of the Senate.

[For Report—see *Legislative Documents.*]

Ordered, That the Public Printer print 150 copies of said report for the use of the General Assembly.

On the motion of Mr. Hobbs,

Resolved, That a seat on the floor of the Senate be allowed to A. G. Rhea, the reporter for "The Daily Commonwealth."

Leave was given to bring in the following bills, to-wit:

On the motion of Mr. McNary—1. A bill to change the name of William G. Musgrove to William G. Logan.

On the motion of Mr. Boyd—2. A bill to amend the laws in relation to chancery proceedings.

On the motion of same—3. A bill to amend the attachment laws of this Commonwealth.

On the motion of same—4. A bill to exempt certain property, in the town of Flemingsburg, from town tax.

On the motion of Mr. Hambleton—5. A bill to amend the law concerning guardians.

On the motion of Mr. Hobbs—6. A bill to amend an act, approved 1st of March, 1847, chartering a company to construct a railroad from Frankfort to Louisville.

On the motion of Mr. Evans—7. A bill for the benefit of John Caruth, of Allen county.

On the motion of Mr. Marshall—8. A bill for the benefit of Samuel Hogan, of Green county.

Messrs. McNary, Bradley and Thomas were appointed a committee to prepare and bring in the 1st; Messrs. Boyd, Williams and Hawkins the 4th; Messrs. Hobbs, Todd, Helm, English and James the 6th; Messrs. Evans, Draffin and Hardin the 7th; Messrs. Marshall, Hardin and Brien the 8th; and the committee on the Judiciary was directed to prepare and bring in the 2d, 3d and 5th.

And then the Senate adjourned.

TUESDAY, JANUARY 4, 1848.

The Speaker laid before the Senate the annual report of the Auditor of Public Accounts, which is as follows, to-wit:

STATE OF KENTUCKY, AUDITOR'S OFFICE,
Frankfort, January 3, 1848. }

DEAR SIR: I herewith enclose you a copy of the annual report from this Department.

Respectfully,

H. I. BODLEY, Auditor.

HON. R. A. PATTERSON,
Speaker of the Senate.

[For Report—see Legislative Documents.]

Ordered, That the Public Printer print 150 copies of said report for the use of the General Assembly.

The Speaker laid before the Senate the annual report of the 2d Auditor, which is as follows, to-wit:

REVENUE DEPARTMENT, AUDITOR'S OFFICE, KY.

SIR: I herewith send the annual report from this Department.

I am, very respectfully,

THOS. S. PAGE, 2d Auditor.

Hon. R. A. PATTERSON,
Speaker of the Senate.

[*For Report—see Legislative Documents.*]

Ordered, That the Public Printer print 150 copies of the said report for the use of the General Assembly.

The Speaker laid before the Senate the settlement made by Thomas S. Page, the Commissioner appointed to settle the accounts of the Rev. R. T. Dillard, as Superintendent of Public Instruction, which is as follows, to-wit:

REVENUE DEPARTMENT, AUDITOR'S OFFICE, KY. }
Frankfort, January 1, 1848. }

SIR: I herewith send settlement with the Rev. R. T. Dillard, as Superintendent of Public Instruction.

I am, very respectfully,

T. S. PAGE, Commissioner.

Hon. R. A. PATTERSON,
Speaker of the Senate.

[*For Report—see Legislative Documents.*]

Ordered, That the Public Printer print 150 copies of said settlement for the use of the General Assembly.

The Speaker laid before the Senate the annual report of the Board of Visitors of the Ky. Penitentiary, for the year 1847, which is as follows, to-wit:

[*For Report—see Legislative Documents.*]

Ordered, That said report be referred to the committee on the Penitentiary, and that the Public Printer print 150 copies thereof for the use of the General Assembly.

Two messages in writing, were received from the Governor, by Mr. Mitchell, Assistant Secretary of State.

The rule of the Senate being dispensed with, the said messages were taken up, and read as follows, to-wit:

Gentlemen of the Senate :

I nominate for your advice and consent, Thomas A. Marshall to be Chief Justice of Kentucky, in place of E. M. Ewing, resigned.

James Simpson to be Judge of the Court of Appeals, in place of Thomas A. Marshall, promoted.

William C. Goodloe to be Judge of the 10th Judicial District, in place of James Simpson, appointed Judge of the Court of Appeals.

Samuel Carpenter to be Judge of the 13th Judicial District, in place of A. H. Churchill, resigned.

William D. Reed to be Secretary of State.

Thomas N. Lindsey to be Commonwealth's Attorney for the 17th Judicial District, in place of Thomas L. Crittenden, resigned.

J. T. Boyle to be Commonwealth's Attorney for the 12th Judicial District, in place of John B. Thompson, resigned. WM. OWSLEY.

Gentlemen of the Senate :

I nominate for your advice and consent, William D. Tinsley to be Sheriff of Caldwell county, in place of James C. Weller, resigned.

Moses P. Ellis to be Sheriff of Fayette county, in place of James L. Hickman, resigned.

Tarleton Combs to be Sheriff of Perry county, in place of Zachariah Morgan, refused to qualify.

C. T. Dunavan to be Sheriff of Warren county, in place of Isaac Smith, resigned.

Thomas J. Gough to be Sheriff of Meade county, and Andrew Calvert to be Sheriff of Scott county—the County Court of said counties having failed to recommend in the time prescribed by the Constitution.

Robert J. Breckinridge to be Superintendent of Public Instruction, in place of Ryland T. Dillard, resigned. WM. OWSLEY.

Resolved, That the Senate advise and consent to the said appointments.

The Speaker announced the following standing committees, to-wit:

On Judiciary—Messrs. Hardin, Crenshaw, Wall and Rice.

On Propositions and Grievances—Messrs. Walker, Swope, Hawkins, Holloway and Taylor.

On Privileges and Elections—Messrs. Swope, Wall, White, Evans and Henderson.

On Religion—Messrs. Boyd, Draffin, Bramlette, Marshall and Thomas.

On Internal Improvement—Messrs. J. Speed Smith, Evans, Thornton, Grey and Swope.

On Finance—Messrs. James, Todd, Helm, McMillan and English.

On Education—Messrs. Evans, Slaughter, Fox, Thurman and McMillan.

On Penitentiary—Messrs. Hobbs, Thurman, Boyd and Hawkins.

On Military Affairs—Messrs. Heady, Russell, Bradley, Marshall and Brien.

On Sinking Fund—Messrs. Helm, Holloway and Young.

On Executive Affairs—Messrs. Todd, Draffin and Thornton.

On Public Buildings—Messrs. McNary, Brien, Thomas, Henderson and Bramlette.

On Agriculture and Manufactures—Messrs. Slaughter, Taylor, Bradley, Williams and Hambleton.

On Federal Relations—Messrs. Williams, Crenshaw, Rice, J. Speed Smith and White.

JOINT COMMITTEES.

On Banks—Messrs. Fox, Helm and Grey.

On Library—Messrs. Taylor, Thornton and Draffin.

On Public Offices—Messrs. Hawkins and Russell.

On Enrollments—Messrs. Bradley, Young and McNary.

1. Mr. English presented the petition of Elizabeth Voris, widow of Preston Voris, deceased, praying for the passage of a law authorizing the sale of a small tract of land, lying in Henry county, the property of her deceased husband.

2. Mr. Hawkins presented the petition of William Goodridge, Sr., of Boone county, praying for the passage of a law to divorce him from his wife, Emeline Goodridge.

3. Mr. Heady presented the petition of Thomas Deacon, praying for the passage of a law to divorce him from his wife, Elizabeth Ann Deacon.

4. Mr. Grey presented the petition of sundry citizens of Todd and Christian counties, praying for the passage of a law to establish a State road in the counties of Muhlenburg, Christian and Todd.

5. Mr. Grey also presented the petition of sundry citizens of the town of Russellville, praying for the passage of a law granting a change of venue to Wm. B. Whitaker, who stands indicted for murder in the Logan Circuit Court.

6. Mr. Grey also presented the petition of George T. Edwards, of Logan county, praying for the passage of a law vesting in him the title to a small tract of land in said county, of which Charlotte Millikin, a free woman of color, died seized and possessed, and which land has escheated to the Commonwealth.

Which petitions were severally received and referred—the 1st, 5th and 6th to the committee on the Judiciary; the 2d and 3d to the committee on Religion; and the 4th to a select committee of Messrs. Grey, Brien and Rice.

The following bills were reported from select committees to-wit:

By Mr. Marshall—1. A bill for the benefit of William B. Carlisle, Sheriff of Green county.

By Mr. Boyd—2. A bill to exempt certain property, in the town of Flemingsburg, from town tax.

By Mr. Evans—3. A bill for the benefit of John Caruth, of Allen county.

By Mr. Thornton—4. A bill to change the name of Elizabeth G. M. Douglass.

The said bills were severally read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bills being dispensed, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A message was received from the House of Representatives, announcing that they had adopted a resolution in relation to the erection of a monument to the memory of the heroes of Buena Vista.

That they had passed bills of the following titles, to-wit:

An act for the benefit of the officers and soldiers in the war with Mexico.

An act to change the name of John M. Hall.

The Speaker laid before the Senate the annual report of the Keeper of the Penitentiary, which is as follows, to-wit:

OFFICE KENTUCKY PENITENTIARY, }
Frankfort, Jan. 3, 1847.

SIR: Please lay before the Senate the enclosed annual report.

Very respectfully, yours, &c.,

N. CRAIG, *Agent and Keeper Ky. Pen'ty.*

HON. R. A. PATTERSON,
Speaker of the Senate.

[*For Report—see Legislative Documents.*]

Ordered, That said report be referred to the committee on the Penitentiary, and that the Public Printer print 150 copies thereof for the use of the General Assembly.

Mr. Evans read and laid on the table the following resolutions, to-wit:

Resolved by the Senate and House of Representatives of the Commonwealth of Kentucky, That our Senators be instructed, and our Representatives be requested, to use their best exertions to procure the repeal of so much of the 13th section of an act of Congress, entitled, "an act to establish certain post routes, and for other purposes," approved the 3d of March, 1847, as requires three cents each to be paid as the postage on newspapers at the place they are deposited for conveyance.

Resolved, That his Excellency, the Governor of Kentucky, be, and he is hereby requested to transmit, to each of our Senators and Representatives in Congress, a copy of the foregoing resolutions.

On the motion of Mr. Grey,

Resolved, That a committee of one from each Congressional District, be appointed to divide the State into Senatorial Districts, and to apportion the representation in the House of Representatives, among the several counties, in conformity to the Constitution; and that said committee report by bill as soon as practicable.

Leave was given to bring in the following bills, to-wit:

On the motion of Mr. Grey—1. A bill to change the time of holding the Christian Circuit and County Courts.

On the motion of Mr. Hobbs—2. A bill to amend the charter of the Shepherdsville Iron Manufacturing Company.

On the motion of same—3. A bill for the benefit of Urath O. Hundley and others.

On the motion of Mr. Wall—4. A bill to exempt from militia duty the volunteers in the war with Mexico.

On the motion of Mr. McMillan—5. A bill to amend the charter of the Carlisle and Sharpsburg Turnpike Road Company.

On the motion of Mr. Hawkins—6. A bill for the benefit of the citizens of Carroll county, and for other purposes.

On the motion of Mr. Hardin—7. A bill to amend the act for the benefit of John U. Watson and Pemberton Cave, approved February 17, 1847.

On the motion of same—8. A bill to amend an act, entitled, an act authorizing the Auditor to correct certain mistakes, approved January 23d, 1813.

Messrs. Grey, Bradley and McNary were appointed a committee to prepare and bring in the 1st; Messrs. Hobbs, Helm and Heady the 2d; Messrs. Hobbs, Crenshaw and Hambleton the 3d; Messrs. McMillan, Boyd and Young the 5th; Messrs. Hawkins, Russell and Williams the 6th; the committee on Military Affairs was directed to prepare and bring in the 4th; and the committee on the Judiciary the 7th and 8th.

Mr. Hobbs read and laid on the table the following preamble and resolutions, to-wit:

Whereas, Maj. General Zachary Taylor having obtained leave of absence from the army, and returned to the United States, the Representatives of the people of Kentucky, in General Assembly convened, being desirous of testifying their high appreciation of the signal services he has rendered his country, in the battles of Palo Alto, Resaca de la Palma, and Monterey, and in his last and unparalleled achievement at Buena Vista—their admiration of his virtues, his modesty, his justice, his kindness and benevolence to the soldiers under his command, and that, if possible, more elevated and manly spirit of moderation and magnanimity, which he has uniformly displayed towards the defeated and prostrate foes of his country—hereby tender to him the heartfelt thanks of the people of Kentucky. Therefore,

Resolved by the General Assembly of the Commonwealth of Kentucky, That General Taylor be invited to visit the Capital of our State, during the present session of the Legislature, that the Representatives and the people may have an opportunity of testifying to him, personally, their esteem and regard.

Resolved, That a copy of this preamble and resolution be forwarded to Gen. Taylor, by his excellency the Governor, with a request that he indicate, at as early a day as convenient, when he will visit Frankfort.

The rule of the Senate being dispensed with, the said preamble and resolutions were taken up, twice read, and adopted.

On the motion of Mr. Williams,

Resolved, That the rules of the Senate, for the last session, be adopted for its government during the present session.

On the motion of Mr. Rice,

Resolved, That the committee on the Judiciary prepare and report a bill repealing all acts or parts of acts, giving the General Court jurisdiction in the trial of suits, either in law or chancery, in which the title or possession land is involved, unless the land is situate in the county of Franklin.

The resolution from the House of Representatives, in relation to the erection of a monument to the memory of the heroes of Buena Vista, was taken up, twice read, and concurred in.

Messrs. James, Hobbs, Slaughter and Helm were appointed a committee on the part of the Senate, pursuant to said resolution.

Bills from the House of Representatives, of the following titles, were severally read the first time, to-wit:

1. An act for the benefit of the officers and soldiers in the war with Mexico.

2. An act to change the name of John M. Hall.

Ordered, That said bills be read a second time.

The constitutional rule as to the second reading of said bills being dispensed with, the first was referred to the committee on the Judiciary, and the second was ordered to be read a third time.

The constitutional rule as to the third reading of the second bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

On the motion of Mr. James,

Resolved, That the committee on the Judiciary be instructed to enquire into the expediency and propriety of amending the law in relation to sureties in injunction bonds, restraining orders, &c.

Mr. Hobbs, from the select committee appointed for that purpose, reported a bill to amend an act, approved the 1st of March, 1847, chartering a company to construct a railroad from Frankfort to Louisville, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading of said bill being dispensed with, it was referred to the committee on Internal Improvement, and the Public Printer was directed to print 150 copies thereof for the use of the General Assembly.

And then the Senate adjourned.

WEDNESDAY, JANUARY 5, 1848.

A message, in writing, was received from the Governor, by Mr. Reed, Secretary of State.

The rule of the Senate being dispensed with, the said message was taken up, and read as follows, to-wit:

Gentlemen of the Senate :

I nominate for your advice and consent, Henry C. Thomas to be Sheriff of Bullitt county, in place of J. Samuel, deceased.

John M. Austin to be Sheriff of Butler county—the County Court of said county having failed to recommend in the time prescribed by the Constitution.

WM. OWSLEY.

Resolved, That the Senate advise and consent to the said appointments.

1. Mr. McNary presented the petition of Joseph Hinkle, of Muhlenburg county, praying for the passage of a law authorizing that his wife, Barbara Hinkle, who is a lunatic, may be kept in the Asylum free of charge to the said Moses Hinkle.

2. Mr. Evans presented the petition of Roberson Brown and his wife, of Allen county, praying for the passage of a law permitting them to import into this State a negro girl named Aggy, without incurring the penalties of the law of 1833, to prohibit the importation of slaves into this State.

3. Mr. Crenshaw presented the petition of Matilda Francis, the mother and guardian, and Jesse Renfro, the grand father of Mary C. Francis, infant daughter of Joel M. Francis, deceased, praying for the passage of a law authorizing the said guardian or grandfather to make sale and conveyance of a certain tract of land, the property of said infant.

4. Mr. Slaughter presented the petition of the members of the Larue County Court, praying for the passage of a law authorizing the Secretary of State to furnish said court with the laws of this State passed since the year 1843.

5. Mr. Bramlette presented the petition of William T. Long, praying for the passage of a law permitting him to import into this State a negro girl, without incurring the penalties of the law of 1833, to prohibit the importation of slaves into this State.

6. Mr. Fox presented the petition of Mary C. Parker, praying for the passage of a law divorcing her from her husband, William C. Parker, and restoring her to her maiden name of Mary C. Hocker.

Which petitions were severally received and referred—the 1st to the committee on Finance; the 2d and 5th to the committee on Propositions and Grievances; the 3d and 4th to the committee on the Judiciary; and the 6th to the committee on Religion.

Mr. Helm, from the committee on the Sinking Fund, reported a bill directing proclamation to be made of the readiness of the State of Kentucky to redeem her unpaid six year bonds, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A message was received from the House of Representatives, announcing that they had adopted a resolution of invitation to Gen. Zachary Taylor.

That they had passed bills of the following titles, to-wit:

An act to incorporate the Franklin Institute, in the town of Lancaster.

An act to enlarge the powers of the Board of Internal Improvement for Graves county.

An act to legalize the proceedings of the Ohio County Court.

An act for the benefit of E. T. White, Deputy Sheriff of Daviess county.

An act to change the name of Maria A. Peyton.

An act to change the name of Nancy J. Yates to that of Nancy J. Wilson, and for other purposes.

An act to enlarge the jurisdiction of the Police Judge of the town of Henderson.

Mr. Helm, from the select committee appointed for that purpose, reported a bill again to take the sense of the people of Kentucky on the propriety of calling a Convention, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading of said bill being dispensed with, it was made the special order of the day for Friday, the 7th inst., and the Public Printer was directed to print 150 copies thereof for the use of the General Assembly.

Leave was given to bring in the following bills, to-wit:

On the motion of Mr. James—1. A bill to equalize the compensation for the collection of the revenue.

On the motion of Mr. Crenshaw—2. A bill to amend an act, entitled, an act for the benefit of the heirs of David Mize, deceased.

On the motion of Mr. Bramlette—3. A bill for the benefit of William Wood, Surveyor of Clinton county, and for other purposes.

On the motion of Mr. English—4. A bill to modify and repeal, in part, the act approved February 2d, 1833, entitled, an act to amend the law prohibiting the importation of slaves into this State.

The committee on Finance was directed to prepare and bring in the 1st; the committee on the Judiciary the 2d; Messrs. Bramlette, Evans and Draf-
fin were appointed a committee to prepare and bring in the 3d; and Messrs. English, Bradley, James and Young the 4th.

On the motion of Mr. Evans,

Resolved, That the committee on the Judiciary be and they are hereby instructed to enquire into the origin, existence, extent, duration and objects of the right to draw lotteries or vend lottery tickets in this Commonwealth; and also, if practicable, the amount of funds thus raised, and purposes to which such funds have been applied; and that they report by bill or otherwise.

Mr. Brien read and laid on the table the following joint resolution, viz :
Resolved by the General Assembly of the Commonwealth of Kentucky,
That his Excellency, the Governor of this Commonwealth, caused to be fired a national salute, at sun rise, on the 8th inst., at some convenient place in the town of Frankfort, in commemoration of the victory achieved by our officers and soldiers on the 8th of January, 1815.

The rule of the Senate being dispensed with, the said resolution was taken up, twice read and adopted.

The resolutions concerning newspaper postage, read and laid on the table by Mr. Evans on yesterday, were taken up, twice read and adopted.

The resolution from the House of Representatives, of invitation to Gen. Zachary Taylor, was taken up and referred to the committee on the Judiciary.

Bills from the House of Representatives, of the following titles, were severally read the first time, to-wit:

1. An act to incorporate the Franklin Institute, in the town of Lancaster.
2. An act to enlarge the powers of the Board of Internal Improvement for Graves county.
3. An act to legalize the proceedings of the Ohio County Court.
4. An act for the benefit of E. T. White, Deputy Sheriff of Daviess county.
5. An act to change the name of Maria A. Peyton.
6. An act to change the name of Nancy J. Yates to that of Nancy J. Wilson, and for other purposes.
7. An act to enlarge the jurisdiction of the Police Judge of the town of Henderson.

Ordered, That said bills be read a second time.

The constitutional rule as to the second reading of said bills being dispensed with, the 7th was referred to the committee on the Judiciary, and the 1st, 2d, 3d, 4th, 5th and 6th were ordered to be read a third time.

The constitutional rule as to the third reading of said 1st, 2d, 3d, 4th, 5th and 6th bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The following bills were reported from select committees, to-wit:

By Mr. Marshall—1. A bill for the benefit of Samuel Hogan, of Green county.

By Mr. Hobbs—2. A bill to amend the charter of the Shepherdsville Iron Manufacturing Company.

By same—3. A bill for the benefit of Urath O. Hundley and others.

By Mr. Bramlette—4. A bill for the benefit of William Wood, Surveyor of Christian county, and for other purposes.

The said bills were severally read the first time, and ordered to be read a second time.

The constitutional rule as to the second readings of said bills being dispensed with, the 2d and 3d were referred to the committee on the Judiciary, and the 1st and 4th were ordered to be engrossed and read a third time.

The constitutional rule as to the third reading of said 1st and 4th bills being dispensed with, and the same being engrossed.

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

And then the Senate adjourned.

THURSDAY, JANUARY 6, 1848.

Mr. John Speed Smith, a member of the Senate from the 23d Senatorial District, appeared and took his seat.

A message was received from the House of Representatives, announcing that they had passed bills from the Senate, of the following titles, to-wit:

An act for the benefit of William B. Carlisle, Sheriff of Green county.

An act to exempt certain property, in the town of Flemingsburg, from town tax.

An act for the benefit of John Caruth, of Allen county.

An act to change the name of Elizabeth G. M. Douglass.

That they had concurred in the adoption of preamble and resolutions from the Senate, inviting General Taylor to visit the Capital of Kentucky.

That they had adopted a resolution to appoint a committee to visit the Lunatic Asylum.

Which was twice read and concurred in.

That they had passed bills of the following titles, to-wit:

1. An act to change the names of certain citizens of Crittenden county, and for other purposes.

2. An act for the benefit of the Clerks of the Union County and Circuit Courts.

An act to change the time of holding the April Term of the Union County Court.

4. An act to change the names of E. H. Marrs, C. W. Marrs, and W. O. B. Marrs.

5. An act to incorporate the town of West Point, in Hardin county.
6. An act for the benefit of Edward B. Gibson, of Simpson county.
7. An act to establish two additional election precincts in Knox county.
8. An act to legalize the proceedings of the November Term of the Pulaski County Court, and for other purposes.
9. An act to allow an additional Justice of the Peace to Graves county, and an additional Constable to Logan county.
10. An act for the benefit of Southern College.
11. An act to change the names of Joel R. Allcock and others.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading of said bills being dispensed with, the 4th and 9th were referred to the committee on Propositions and Grievances; the 5th and 6th to the committee on the Judiciary; the 7th to the committee on Privileges and Elections; and the 1st, 2d, 3d, 8th, 10th and 11th were ordered to be read a third time.

The constitutional rule as to the third reading of said 1st, 2d, 3d, 8th, 10th and 11th bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The Speaker laid before the Senate the annual report of the President of the Board of Internal Improvement, which is as follows, to-wit:

OFFICE OF BOARD OF INTERNAL IMPROVEMENT,
Frankfort, January 5th, 1848. }

SIR: I have the honor to lay before you the annual report of the Board of Internal Improvement for the State of Kentucky, and to be, with the highest respect,

Your obedient servant,

THOMAS METCALFE, P. B. I. I.

Hon. R. A. PATTERSON,
Speaker of the Senate.

[For Report—see *Legislative Documents.*]

Ordered, That said report be referred to the committee on Internal Improvement, and that the Public Printer print 150 copies thereof for the use of the General Assembly.

Messrs. Todd, Grey, James, Walker, Hardin, Thurman, Hobbs, Speed Smith, Young and Hawkins were appointed a committee pursuant to the resolution adopted on Tuesday, the 4th inst., for the appointment of a committee to fix the ratio and apportion the representation.

1. Mr. Walker presented the petition of Jos. Hardaway, praying for the passage of a law to make void the location of a military land warrant, No. 2660, for one hundred acres of land, issued by the State of Virginia in 1784, and authorizing the Register of the Land Office to issue a certificate for the same, so as to enable him to draw its value in United States Scrip.

2. Mr. Evans presented the petition of sundry citizens of Allen county, praying for the passage of a law to restore the middle term of the Circuit Court of said county.

3. Mr. Bramlette presented the petition of Calvin Johnson, praying for the passage of a law divorcing him from his wife, Mary Johnson.

Which petitions were severally received and referred—the 1st and 2d to the committee on the Judiciary; and the 3d to the committee on Religion.

The Lieutenant Governor and Speaker of the Senate appeared.

Mr. Hardin, from the committee on the Judiciary, to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of the officers and soldiers in the war with Mexico, reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as afore-said.

Mr. Hardin, from the same committee, to whom was referred the petition of Elizabeth Voris, reported the following resolution thereon, to-wit:

Resolved, That said petition be rejected.

Which was twice read and concurred in.

And leave was given to withdraw said petition from the files of the Senate.

Mr. Hardin, from the same committee, reported the following bills, viz:

■ A bill to amend an act, entitled, an act authorizing the Auditor to correct certain mistakes, and to issue warrants on the Treasury in certain cases, approved January 23, 1813.

A bill to amend an act for the benefit of John U. Watson and Pemberton Cave, approved February 17, 1847.

A bill providing for a change of venue in the prosecution against Benjamin All.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bills being dispensed, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as afore-said.

Mr. Walker, from the committee on Propositions and Grievances, reported a bill for the benefit of Rice Maxey, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bill being dispensed with, and the same being engrossed,

The question was taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Boyd and McNary, were as follows, to-wit:

Those who voted in the affirmative, were—

Mr. SPEAKER Patterson,	Hardin,	Swope,
Bradley,	Hawkins,	Taylor,
Bramlette,	Hobbs,	Thomas,
Brien,	Holloway,	Thornton,
Crenshaw,	James,	Thurman,
Draffin,	Marshall,	Walker,
Evans,	Rice,	White,
Grey,	Russell,	Young—26.
Hambleton,	Speed Smith,	

Those who voted in the negative, were—

Messrs. Boyd,	McMillan,	Todd,
English,	McNary,	Wall,
Heady,	Slaughter,	Williams—9.

Resolved, That the title of the said bill be as aforesaid.

Mr. Walker, from the same committee, reported a bill for the benefit of L. D. Berry, of Hickman county, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Boyd, from the committee on Religion, to whom was referred the petition of Elizabeth Ann Deacon, praying for a divorce from her husband; and also, the petition of Thomas Deacon, praying for a divorce from his wife, reported the following resolution thereon, to-wit:

Resolved, That said petitions be rejected.

Which was twice read and concurred in.

Mr. Wall reported a bill to exempt from militia duty the volunteers in the war with Mexico, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Hobbs read and laid on the table the following joint resolution, to-wit:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the 2d Auditor be directed to instruct the Commissioners of Tax, for this Commonwealth, for the future, along with their reports, to return sep-

arate and perfect lists of the blind, and of the deaf and dumb, in their respective districts.

The rule of the Senate being dispensed with, the said resolution was taken up and referred to the committee on Finance.

Leave was given to bring in the following bills, to-wit :

On the motion of Mr. Hawkins—1. A bill for the benefit of Presly Steward, of Kenton county.

On the motion of Mr. English—2. A bill to amend an act, entitled, an act to protect the rights of married women, approved February 23, 1846, so as to include goods and chattles belonging to *femes covert* before marriage.

On the motion of Mr. Thomas—3. A bill to amend the road law in Campbell county.

Messrs. Hawkins, Hambleton and Evans were appointed a committee to prepare and bring in the 1st; Messrs. English, J. Speed Smith and Thornton the 2d; and Messrs. Thomas, McNary and English the 3d.

And then the Senate adjourned.

FRIDAY, JANUARY 7, 1848.

A message was received from the House of Representatives, announcing that they had concurred in the adoption of a resolution from the Senate, to fire a national salute on the 8th of January, with an amendment, which amendment was twice read and concurred in.

That they had passed bills of the following titles, to-wit :

1. An act for the benefit of the Judge of the 2d Judicial District.
2. An act to re-take the sense of the people of this State as to the propriety of calling a Convention.
3. An act to amend the road law in the county of Trimble.
4. An act to authorize the taking of depositions of officers and soldiers on foreign service.
5. An act to amend the laws in relation to the town of Bowlinggreen.
6. An act for the benefit of James T. Pettus.
7. An act to change the name of George Henderson Robertson, and for other purposes.
8. An act for the benefit of Amanda Hutcheson and her children.
9. An act concerning the election of electors.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading of said bills being dispensed with, they were referred—the 1st, 2d, 4th and 8th to the committee on the Judiciary; the 3d to the committee on Internal Improvement; the 5th, 6th and 7th to the committee on Propositions and Grievances; and the 9th to the committee on Privileges and Elections.

The Speaker laid before the Senate the annual report of the Superintendent of Public Instruction, which is as follows, to-wit:

[*For Report—see Legislative Documents.*]

Ordered, That said report be referred to the committee on Education, and that the Public Printer print 150 copies of the said report and accompanying documents, for the use of the General Assembly.

1. Mr. Hardin presented the petition of Robert Stockton, of Green county, praying for the passage of a law authorizing him to exchange or make sale of two tracts of land, situate in said county, and vest the proceeds in other property for the benefit of his children.

2. Mr. Thurman presented the petition of sundry citizens of Marion county, praying for the passage of a law to charter a company to construct a turnpike road from Springfield, by the way of Lebanon, to intersect the turnpike road at New Market.

3. Mr. Patterson presented the petition of the executor and widow and adult heirs and legatees of John Turley, deceased, praying for the passage of a law authorizing the sale of a negro man named George, belonging to said estate.

4. Mr. Patterson also presented the petition of Daniel Helman and others, of Caldwell county, praying for the passage of a law to establish an election precinct in said county.

5. Mr. Patterson also presented the petition of David B. Glenn and others, members of the Bethlehem Cumberland Presbyterian Church, in Caldwell county, praying for the passage of a law to incorporate said Church.

Which petitions were severally received and referred—the 1st and 3d to the committee on the Judiciary; the 2d to the committee on Internal Improvement; the 4th to the committee on Privileges and Elections; and the 5th to the committee on Religion.

The following bills were reported from the committee on the Judiciary, to-wit:

By Mr. Crenshaw—A bill for the benefit of the heirs of David Mize, deceased.

By Mr. Rice—A bill limiting the jurisdiction of the General Court in certain cases.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Boyd, from the committee on Religion, reported a bill for the benefit of Mary C. Parker, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Leave was given to bring in the following bills, to-wit:

On the motion of Mr. Todd—1. A bill to incorporate a company to construct a turnpike road from Lexington, in the direction of Newtown, in Scott county.

On the motion of same—2. A bill to appoint Trustees to the Ash Ridge Church and burying ground, in Fayette county.

On the motion of Mr. McMillan—3. A bill for the benefit of the children of William Arnett, and others, of Nicholas county.

On the motion of Mr. Evans—4. A bill to confer jurisdiction upon Judges of the Circuit Court to grant changes of venue in criminal prosecutions.

On the motion of Mr. Slaughter—5. A bill to authorize and direct the Secretary of State to furnish to Samuel Carpenter, Judge of the 13th Judicial District, certain law books lost by his predecessor.

On the motion of Mr. Hawkins—6. A bill for the benefit of Richard and Elizabeth E. Neal.

Messrs. Todd, Hawkins and Holloway were appointed a committee to prepare and bring in the 1st; Messrs. McMillan, Boyd and Wall the 3d; the committee on Religion was directed to prepare and bring in the 2d; and the committee on the Judiciary the 4th, 5th and 6th.

On the motion of Mr. Evans,

Resolved, That the thanks of the Senate be tendered to the "Society of Friends," in the city of Philadelphia, for their donation of a copy of "Diamond on War," to each member.

The following bills were reported from select committees, to-wit:

By Mr. Hambleton—1. A bill for the benefit of the children of Thomas D. Helm, deceased.

By Mr. McNary—2. A bill to change the name of William G. Musgrove.

By Mr. English—3. A bill to amend an act, entitled, an act further to protect the rights of married women.

By Mr. Todd—4. A bill to incorporate the Lexington and Newtown Turnpike Road Company.

By Mr. English—5. A bill to modify and change the law of 1833, prohibiting the importation of slaves into this State.

Which bills were severally read the first time, and ordered to be read a second.

The constitutional rule as to the second reading of said bills being dispensed with, the 3d and 5th were referred to the committee on the Judiciary; the 4th to the committee on Internal Improvement; and the 1st and 2d were ordered to be engrossed and read a third time.

The constitutional rule as to the third reading of the 1st and 2d bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The special order of the day being a bill again to take the sense of the people of Kentucky, on the propriety of calling a Convention, was taken up and referred to the committee on the Judiciary.

And then the Senate adjourned.

SATURDAY, JANUARY 8, 1848.

A message was received from the House of Representatives, announcing that they had passed bills from the Senate, of the following titles, to-wit:

An act directing proclamation to be made of the readiness of the State of Kentucky to redeem her unpaid six year bonds.

An act for the benefit of William Wood, Surveyor of Clinton county, and for other purposes.

An act to amend an act for the benefit of John U. Watson and Pemberton Cave, approved February 17, 1847.

An act for the benefit of Rice Maxey.

An act for the benefit of L. D. Berry, of Hickman county.

That they had concurred in the adoption of resolutions from the Senate, concerning newspaper postage.

That they had passed bills of the following titles, to-wit:

An act for the benefit of the heirs of Simeon H. Anderson, deceased.

An act for the benefit of Frederick A. Kennon, and Harriet L., his wife.

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An act authorizing the Trustees of the town of Cadiz, in Trigg county, to sell certain ground.

An act for the relief of George M. Green.

An act continuing in force the law providing for the appointment of Commonwealth's Attorneys.

An act to divorce William Wilkinson from his wife, Juliana Wilkinson.

An act for the benefit of Benjamin Collins.

The Speaker laid before the Senate a communication from the Secretary of State, in answer to a resolution of the Senate, of the 1st inst., which is as follows, to-wit:

OFFICE OF SECRETARY,
Frankfort, January 5th, 1848. }

To the Speaker of the Senate:

SIR—In compliance with the 7th section of an act of the last session of the General Assembly, providing for taking the sense of the people of Kentucky on the propriety of calling a Convention to amend the State Constitution—and in compliance with a resolution of the Senate of the 1st inst., I have the honor to report the lists of all citizens of Kentucky entitled to vote for Representatives; and also a table showing, in parallel columns, the aggregate number of qualified voters in the State, and the aggregate number who voted in favor of calling a Convention, at the last August elections.

Very respectfully,

W. D. REED, Secretary.

Aggregate number of voters in each county in Kentucky, entitled to vote for Representatives: and, also, the aggregate number of all the citizens who voted, at the last August election, for calling a Convention to amend the State Constitution.

COUNTIES.	For a Convention.	Whole No. of Voters.	Additional list ret'd by Clerk.
Adair, - - - - -	1,068	1,452	
Allen, - - - - -	853	1,328	
Anderson, - - - - -	698	998	
Bath, - - - - -	1,303	1,861	
Ballard, - - - - -	615	699	
Barren, - - - - -	1,706	2,872	
Bracken, - - - - -	1,009	No return.	
Breathitt, - - - - -	No return.	547	
Breckinridge, - - - - -	1,055	1,689	6
Boone, - - - - -	1,254	1,863	4
Bourbon, - - - - -	841	1,809	2
Boyle, - - - - -	371	1,112	
Bullitt, - - - - -	897	1,130	20
Butler, - - - - -	510	853	6
Caldwell, - - - - -	1,599	1,887	5
Calloway, - - - - -	959	1,206	
Campbell, - - - - -	1,225	1,282	
Carroll, - - - - -	614	846	9
Carter, - - - - -	837	828	4
Casey, - - - - -	No return.	960	4
Christian, - - - - -	1,298	2,085	29
Clay, - - - - -	510	697	

COUNTIES.	For a Convention.	Whole No. of Voters.	Additional list re'td by Clerk.
	999	1,665	1
Clarke, - - - - -	668	760	8
Clinton, - - - - -	638	905	
Crittenden, - - - - -	787	985	
Cumberland, - - - - -	932	1,751	
Daviess, - - - - -	384	619	
Edmonson, - - - - -	562	959	1
Estill, - - - - -	903	2,602	
Fayette, - - - - -	1,687	2,321	
Fleming, - - - - -	863	1,593	
Franklin, - - - - -	No return.	920	
Floyd, - - - - -	540	602	10
Fulton, - - - - -	560	786	
Gallatin, - - - - -	1,160	1,576	
Garrard, - - - - -	696	1,051	4
Grant, - - - - -	1,440	1,523	10
Graves, - - - - -	575	1,075	
Grayson, - - - - -	1,768	2,313	22
Green, - - - - -	No return.	1,582	11
Greenup, - - - - -	304	523	7
Hancock, - - - - -	1,473	2,331	13
Hardin, - - - - -	417	631	
Harlan, - - - - -	1,397	2,001	18
Harrison, - - - - -	1,195	1,323	
Hart, - - - - -	576	1,476	7
Henderson, - - - - -	1,244	1,840	
Henry, - - - - -	573	633	
Hickman, - - - - -	1,566	1,751	9
Hopkins, - - - - -	4,831	6,737	
Jefferson and city of Louisville,	793	1,280	
Jessamine, - - - - -	427	549	1
Johnson, - - - - -	1,473	2,080	
Kenton, - - - - -	912	1,036	
Knox, - - - - -	674	919	2
Larue, - - - - -	473	715	
Laurel, - - - - -	754	877	
Lawrence, - - - - -	212	339	
Letcher, - - - - -	1,025	1,232	3
Lewis, - - - - -	851	1,315	
Lincoln, - - - - -	551	822	
Livingston, - - - - -	1,251	2,047	
Logan, - - - - -	1,432	2,517	18
Madison, - - - - -	820	1,710	18
Marion, - - - - -	614	793	
Marshall, - - - - -	2,073	2,729	
Mason, - - - - -	521	603	11
McCracken, - - - - -	786	1,006	
Meade, - - - - -	1,192	2,118	24
Mercer, - - - - -	944	1,477	2
Muhlenburg, - - - - -	No return.	1,152	
Monroe, - - - - -	1,122	1,352	4
Montgomery, - - - - -	No return.	1,167	1
Morgan, - - - - -	1,017	1,967	17
Nelson, - - - - -	1,367	1,587	
Nicholas, - - - - -	1,062	1,463	
Ohio, - - - - -	761	1,038	4
Oldham, - - - - -	902	1,627	16
Owen, - - - - -	453	516	
Owsley, - - - - -	586	1,214	
Pendleton, - - - - -	251	457	
Perry, - - - - -	633	781	
Pike, - - - - -	1,809	2,156	
Pulaski, - - - - -			

COUNTIES.	For a Convention.	Whole No. of Voters.	Additional list re'd by Clerk.
Rockcastle, - - - - -	322	790	
Russell, - - - - -	519	868	22
Scott, - - - - -	775	1,807	2
Shelby, - - - - -	1,589	2,299	
Simpson, - - - - -	789	952	4
Spencer, - - - - -	600	1,012	2
Todd, - - - - -	900	1,322	1
Trigg, - - - - -	1,052	1,337	2
Trimble, - - - - -	591	921	
Union, - - - - -	1,002	1,300	
Warren, - - - - -	1,290	2,100	
Washington, - - - - -	1,064	1,672	42
Wayne, - - - - -	1,019	1,436	2
Whitley, - - - - -	702	985	
Woodford, - - - - -	No return.	1,244	3
Total, - - - - -	-	136,945	366

Respectfully submitted.

W. D. REED, *Secretary.*SECRETARY'S OFFICE, *January 5, 1848.**Ordered,* That said report be referred to the committee on the Judiciary.

A message in writing, was received from the Governor, by Mr. Mitchell, Assistant Secretary of State.

The rule of the Senate being dispensed with, the said message was taken up, and read as follows, to-wit:

Gentlemen of the Senate :

I nominate for your advice and consent, William J. Sandford to be Sheriff of Boone county, in place of Robert B. Vickers, who has vacated his office by removal from the county.

Daniel T. Cargill to be Sheriff of Graves county, in place of Thomas B. Brown, whose term is about to expire—the County Court having failed to recommend in the time prescribed by the Constitution.

WM. OWSLEY.

Resolved, That the Senate advise and consent to the said appointments.

On the motion of Mr. J. Speed Smith,

Resolved, That the committee on Internal Improvement be instructed to enquire into the policy and propriety of employing a portion of convict labor of the State, in continuing the improvement of the road leading from Louisville, by the mouth of Salt river, through Elizabethtown, to the Tennessee line; and on the road from Bardstown, through Glasgow, to the Tennessee line; and on the road leading from Georgetown to Covington.

And then the Senate adjourned.

MONDAY, JANUARY 10, 1848.

A message was received from the House of Representatives, announcing that they had passed bills of the following titles, to-wit:

An act establishing the county of Taylor.

An act giving the County Court of Russell power to sell a portion of lot No. —, on which the jail is situated.

An act for the benefit of William A. Butt.

1. Mr. Crenshaw presented the petition of sundry citizens of Hart county, praying for the passage of a law authorizing a geological survey of the State.

2. Mr. Thurman presented the petition of William Smothers and Isabella Smothers, praying for the passage of a law legalizing the marriage between the said William and Isabella, and legitimating their children.

3. Mr. Fox presented the petition of Patrick Hickman, a free man of color, of Lincoln county, praying for the passage of a law authorizing him to bring into this State, from the State of Missouri, a negro boy named Harrison, the son of said petitioner, without incurring the penalty of the law of 1833, to prohibit the importation of slaves into this State.

4. Mr. Hardin presented the petition of sundry citizens of Mercer county, praying for the passage of a law appropriating one thousand dollars, for five years, out of the tolls on the Kentucky river, towards the completion of a turnpike road leading from Oregon landing, in said county, to intersect with the Louisville and Crab Orchard turnpike road.

5. Mr. Walker presented the petition of sundry citizens of Logan county, praying for an amendment of the laws in relation to trespasses on lands, &c.

6. Mr. Thomas presented the petition of Conrod Havens, of Campbell county, praying for the passage of a law allowing him compensation for keeping Lucy Bradford, a lunatic.

Which petitions were severally received and referred, (the 4th being read,) —the 1st to the committee on Agriculture and Manufactures; the 2d to the committee on Religion; the 3d to the committee on Propositions and Grievances; the 4th to the committee on Internal Improvement; the 5th to the committee on the Judiciary; and the 6th to the committee on Finance.

A message was received from the House of Representatives, by Mr. Jas. Speed, announcing that they had appointed managers, on their part, to prosecute the impeachment pending before the Senate, against John A. Duff, Surveyor of Perry county.

Mr. Hardin, from the committee on the Judiciary, to whom was referred a bill from the House of Representatives, entitled, an act to re-take the

sense of the people of this State, as to the propriety of calling a Convention, reported the same with amendments, which were concurred in.

Ordered, That said bill be read a third time, as amended.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Hardin, from the same committee, to whom was referred bills from the House of Representatives, of the following titles, to-wit:

An act to incorporate the town of West Point, in Hardin county.

An act for the benefit of Amanda Hutcheson and her children.

An act to enlarge the jurisdiction of the Police Judge of the town of Henderson.

An act for the benefit of Edward B. Gibson, of Simpson county.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Hardin, from the same committee, to whom was referred a bill for the benefit of Urath O. Hundley and others, reported the same with an amendment, which was concurred in.

Ordered, That said bill be engrossed and read a third time.

The constitutional rule as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Walker, from the committee on Propositions and Grievances, to whom was referred a bill from the House of Representatives, entitled, an act to change the names of E. H. Marrs, C. W. Marrs and W. O. B. Marrs, reported the same with an amendment, which was concurred in.

Ordered, That said bill be read a third time, as amended.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bill, as amended, do pass, and that the title thereof be amended by adding, "and others."

Mr. Boyd, from the committee on Religion, reported the following bills, to-wit:

A bill to incorporate the Christian Church at Stanford.

A bill to appoint Trustees for the Ash Ridge Church and burying ground, in Fayette county.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bills being dispensed, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The following bills were reported from select committees, to-wit:

By Mr. McMillan—1. A bill to amend the charter of the Carlisle and Sharpsburg Turnpike Company.

By same—2. A bill for the benefit of the children of William Arnett, and others.

By Mr. Grey—3. A bill to regulate the time of holding the Circuit and County Courts in Christian county.

By Mr. Hawkins—4. A bill for the benefit of Presley Steward, of Kenton county.

The said bills were severally read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading being dispensed with, the 2d and 3d were referred to the committee on the Judiciary, and the 1st and 4th were ordered to be engrossed and read a third time.

The constitutional rule as to the third reading of said 1st and 4th bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

On the motion of Mr. Hobbs—Mr. Patterson was added to the committee on the Penitentiary.

On the motion of Mr. Hardin—Mr. Patterson was added to the committee on the Judiciary.

Leave was given to bring in the following bills, to-wit:

On the motion of Mr. Hobbs—1. A bill to facilitate the construction of the Electric Telegraph in the State of Kentucky.

On the motion of Mr. Rice—2. A bill for the benefit of Thomas Prime, of Lawrence county.

On the motion of Mr. J. Speed Smith—3. A bill to amend the militia law.

On the motion of Mr. Wall—4. A bill for the benefit of the Jailer of Harrison county.

On the motion of Mr. Evans—5. A bill to amend the laws of the State in relation to divorces.

Messrs. Hobbs, J. Speed Smith, Hardin, James and Walker were appointed a committee to prepare and bring in the 1st; Messrs. J. Speed Smith, Patterson and Hobbs the 3d; the committee on Finance was directed to prepare and bring in the 2d and 4th; and the committee on the Judiciary the 5th.

On the motion of Mr. Patterson,

Resolved, That the committee on Internal Improvement be instructed to enquire into the propriety and expediency of employing a portion of the

convict labor of the Penitentiary, in finishing the work necessary to the completion of the Logan, Todd and Christian Turnpike road, commencing in Logan county, and terminating at Eddyville, in Caldwell county, and that they report as early as practicable.

On the motion of Mr. J. Speed Smith,

Resolved, That the Public Printer forthwith print 150 copies of the articles of impeachment against John A. Duff, Surveyor of Perry county, and also of the response of said Duff to the charges preferred against him, for the use of the Senate.

Bills from the House of Representatives, of the following titles, were severally read the first time, to-wit:

1. An act for the benefit of the heirs of Simeon H. Anderson, deceased.
2. An act for the benefit of Frederick A. Kennon and Harriet L., his wife.
3. An act authorizing the Trustees of the town of Cadiz, in Trigg county, to sell certain grounds.
4. An act for the relief of George M. Green.
5. An act continuing in force the law providing for the appointment of Commonwealth's Attorneys.
6. An act to divorce William Wilkinson from his wife, Juliana Wilkinson.
7. An act for the benefit of Benjamin Collins.
8. An act establishing the county of Taylor.
9. An act giving the County Court of Russell power to sell a portion of Lot No. —, on which the jail is situated.
10. An act for the benefit of William A. Butt.

Ordered, That said bills be read a second time.

The constitutional rule as to the second reading of said bills being dispensed with, they were referred—the 1st, 2d, 3d, 5th and 9th to the committee on the Judiciary; the 4th, 8th and 10th to the committee on Propositions and Grievances; and the 6th and 7th to the committee on Religion.

And then the Senate adjourned.

TUESDAY, JANUARY 11, 1848.

A message was received from the House of Representatives, announcing that they had passed bills from the Senate, of the following titles, to-wit:

An act for the benefit of Mary C. Parker.

An act to change the name of William G. Musgrove.

With an amendment to the last named bill, which was concurred in.

That they had passed bills of the following titles, to-wit:

1. An act for the benefit of William Andrews, of Monroe county.
2. An act to provide for running the dividing line between Bracken and Pendleton.
3. An act for the benefit of Martin Draper, late Sheriff of Grant county.
4. An act for the benefit of John A. Bledsoe.
5. An act allowing an additional Justice of the Peace to the county of Daviess.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading of said bills being dispensed with, they were referred—the 1st, 2d and 5th to the committee on Propositions and Grievances, and the 3d and 4th to the committee on the Judiciary.

Messrs. McMillan, Marshall and Brien were appointed a committee, on the part of the Senate, pursuant to a joint resolution, for the appointment of a committee to visit the Lunatic Asylum.

Mr. James presented the petition of sundry citizens of Hickman, Fulton, Graves, Ballard and McCracken counties, praying for the passage of a law incorporating the Mobile and Ohio Railroad Company for the construction of a railroad from the city of Mobile to the town of Columbus, on the Mississippi river; also the proceedings of a public meeting of the citizens of Mobile upon the subject of the proposed road.

2. Mr. Patterson presented the petition of the widow and heirs of Samuel Bryce, deceased, praying for the passage of a law confirming the sale of a certain tract of land lying in Crittenden county, made by said decedent in his life time.

3. Mr. Slaughter presented the petition of sundry citizens of Hodgenville, in Larue county, praying for the passage of a law allowing an additional Constable to said town.

4. Mr. Thornton presented the petition of Bushrod T. Milton, praying for the passage of a law requiring the Commissioners of the Lunatic Asylum to receive and maintain Rebecca Claypoole, a lunatic, at the expense of the State.

Which petitions were severally received and referred—the 1st to the committee on Internal Improvement; the 2d to the committee on the Judiciary; the 3d to the committee on Propositions and Grievances; and the 4th to the committee on Finance.

Mr. Hardin, from the committee on the Judiciary, to whom was referred bills from the House of Representatives, of the following titles, to-wit:

- An act for the benefit of Frederick A. Kennon, and Harriet L., his wife.
An act for the benefit of the heirs of Simeon H. Anderson, deceased.

An act giving the County Court of Russell power to sell a portion of lot No. —, on which the jail is situated.

An act authorizing the Trustees of the town of Cadiz, in Trigg county, to sell certain ground.

An act continuing in force the law providing for the appointment of Commonwealth's Attorneys.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Hardin, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act to authorize the taking of depositions of officers and soldiers on foreign service, reported the same, with the opinion of the committee that it ought not to pass.

The question being taken on reading said bill a third time, it was decided in the negative, and so the said bill was disagreed to.

Mr. Hardin, from the same committee, to whom was referred a bill to amend the charter of the Shepherdsville Iron Manufacturing Company, reported the same, with the opinion of the committee that it ought not to pass.

The question being taken on engrossing and reading said bill a third time, it was decided in the negative, and so the said bill was rejected.

Mr. Hardin, from the same committee, to whom was referred the petition of Joseph Hardaway, reported the following resolution thereon, to-wit:

Resolved, That said petition be rejected.

Which was twice read and concurred in.

Mr. Crenshaw, from the same committee, reported a bill authorizing the County Court of Barren to purchase a lot, on which to erect a jail, and for other purposes, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Walker, from the committee on Propositions and Grievances, to whom was referred bills from the House of Representatives of the following titles, to-wit:

An act to allow an additional Justice of the Peace to Graves county, and an additional Constable to Logan county.

An act to amend the laws in relation to the town of Bowlinggreen.

An act to change the name of George Henderson Robertson, and for other purposes.

An act for the benefit of James T. Pettus.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Walker, from the same committee, reported a bill for the benefit of Patrick Hickman, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bill being dispensed with, and the same being engrossed,

The question was taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Taylor and Hardin, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Bradley,	Hardin,	Russell,
Bramlette,	Hawkins,	Swope,
Brien,	Helm,	Thomas,
Crenshaw,	Hobbs,	Thornton,
Evans,	James,	Thurman,
Fox,	Marshall,	Walker,
Grey,	McNary,	White—23.
Hambleton,	Patterson,	

Those who voted in the negative, were—

Messrs. Boyd,	Speed Smith,	Wall,
Heady,	Taylor,	Williams,
Holloway,	Todd,	Young—10.
McMillan,		

Resolved, That the title of the said bill be as aforesaid.

Mr. Walker, from the same committee, reported a bill for the benefit of William T. Long, of Clinton county, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. James, from the committee on Finance, reported a bill authorizing certain County Courts to appoint Commissioners of Tax at the December term, and prescribing the further duties of Commissioners of Tax, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bill being dispensed with, and the same being engrossed,

The question was taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Wall and J. Speed Smith, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Boyd,	Heady,	Speed Smith,
Bradley,	Helm,	Swope,
Bramlette,	Hobbs,	Taylor,
Brien,	Holloway,	Thomas,
Crenshaw,	James,	Thornton,
English,	Marshall,	Thurman,
Evans,	McMillan,	Todd,
Fox,	McNary,	Walker,
Grey,	Patterson,	White,
Hambleton,	Rice,	Williams,
Hardin,	Russell,	Young—35.
Hawkins,	Slaughter,	

In the negative—Mr. Wall.

Resolved, That the title of said bill be as aforesaid.

Mr. James, from the same committee, reported a bill to equalize the compensation for the collection of the revenue tax, which was read the first time and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bill being dispensed, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The following bills were reported from select committees, to-wit:

By Mr. J. Speed Smith—1. A bill to amend the 65th section of the militia law.

By Mr. Hobbs—2. A bill to facilitate the construction of the Electric Telegraph.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading of said bills being dispensed with, the 1st was referred to the committee on Military Affairs, and the 2d was ordered to be engrossed and read a third time.

The constitutional rule as to the third reading of the 2d bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Speaker laid before the Senate a communication from L. Jones, which was laid on the table.

Leave was given to bring in the following bills, to-wit:

On the motion of Mr. J. Speed Smith—1. A bill to incorporate the Richmond Cemetery Company.

On the motion of Mr. Williams—2. A bill for the benefit Eveline Adams.

On the motion of Mr. Helm—3. A bill to continue in force the 4th section of an act, entitled, an act to amend the charter of the Louisville and Elizabethtown Turnpike Road Company, and Covington and Lexington Turnpike Company.

On the motion of same—4. A bill to regulate the judgments for costs in suits brought by executors and administrators.

On the motion of same—5. A bill authorizing the taking and reading the depositions of Physicians in this Commonwealth.

On the motion of Mr. Evans—6. A bill for the benefit of Major Weatherspoon, of Allen county.

On the motion of Mr. Hawkins—7. A bill to define more particularly the limits of the town of Hamilton, and for other purposes.

On the motion of Mr. Walker—8. A bill to authorize the Secretary of State to furnish the State of Florida with certain reports of the laws of Kentucky.

On the motion of Mr. J. Speed Smith—9. A bill to amend the criminal laws of this Commonwealth.

Messrs. J. Speed Smith, Williams and Grey were appointed a committee to prepare and bring in the 1st; Messrs. Williams, Wall and Helm the 2d; Messrs. Hawkins, Evans and Hambleton the 7th; Messrs. Walker, Helm and J. Speed Smith the 8th; Messrs. J. Speed Smith, Patterson and Williams the 9th; the committee on Internal Improvement was directed to prepare and bring in the 3d; the committee on the Judiciary the 4th and 5th; and the committee on Religion the 6th.

After proceedings as a High Court of Impeachment, as stated in the record, The Senate adjourned.

WEDNESDAY, JANUARY 12, 1848.

A message was received from the House of Representatives, announcing that they had concurred in the amendment proposed by the Senate, to a bill from that House, entitled, an act to change the names of E. H. Marrs, C. W. Marrs and W. O. B. Marrs.

That they had disagreed to a bill from the Senate, entitled, an act limiting the jurisdiction of the General Court in certain cases.

That they had passed bills from the Senate, of the following titles, to-wit:

An act for the benefit of Urath O. Hundley and others.

An act to incorporate the Christian Church at Stanford.

An act to appoint Trustees for the Ash Ridge Church and burying ground, in Fayette county.

An act to amend the charter of the Carlisle and Sharpsburg Turnpike Company.

An act for the benefit of Presley Steward, of Kenton county.

That they had passed bills of the following titles, to-wit:

1. An act to authorize the County Court of Knox to appoint a Constable in the district including the town of Barboursville.

2. An act for the benefit of James S. Smallwood.

3. An act allowing two additional Justices of the Peace to the county of Muhlenburg.

4. An act for the benefit of Thomas St. Clair Lowe and George Wilson Jones.

5. An act for the benefit of the widow and heirs of John Duke, deceased.

6. An act for the benefit of Keziah E. Young and Sarah Young.

7. An act for the benefit of the Sheriff of Hart county.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading of said bills being dispensed with, they were referred—the 1st, 3d and 4th to the committee on Propositions and Grievances; the 2d and 7th to the committee on Finance; and the 5th and 6th to the committee on the Judiciary.

The Speaker laid before the Senate a communication from the Auditor in relation to State bonds and coupons destroyed by burning, which is as follows, to-wit:

AUDITOR'S OFFICE, *January 11th, 1848.*

SIR: I herewith enclose to you a copy of the list of State bonds and coupons burned on the 30th December, 1847.

Respectfully,

H. I. BODLEY, *Auditor.*

Hon. A. DIXON,

Speaker of the Senate.

[*For Report—see Legislative Documents.*]

Ordered, That said report be referred to the committee on the Sinking Fund, and that the Public Printer print 150 copies thereof for the use of the General Assembly.

The Speaker laid before the Senate the annual report of the Commissioners of the Sinking Fund, which is as follows, to-wit:

AUDITOR'S OFFICE, *January 12, 1848.*

SIR: You will please lay before the House over which you preside, the annual report of the Commissioners of the Sinking Fund.

Respectfully,

H. I. BODLEY,

Auditor and Secretary of the Board.

Hon. A. DIXON,

Speaker of the Senate.

[*For Report—see Legislative Documents.*]

Ordered, That said report be referred to the committee on the Sinking Fund, and that the Public Printer print 150 copies thereof for the use of the General Assembly.

1. Mr. Hobbs presented the petition of John Wright, and Elizabeth his wife, praying for the passage of a law legalizing their marriage.

2. Mr. Bramlette presented the petition of Calvin Johnson, of Clinton county, praying for the passage of a law divorcing him from his wife, Mary Johnson.

3. Mr. Thurman presented the petition of James L. Ballard and Matilda Ballard, praying for the passage of a law authorizing them to make conveyance of a tract of land sold by them to A. J. Mitchell.

4. Mr. Crenshaw presented the petition of Moses Kirkpatrick, of Monroe county, praying for the passage of a law permitting him to import into this State, a negro boy named Bill, from the State of Tennessee, without incurring the penalty of the law of 1833, to prohibit the importation of slaves into this State.

Which petitions were severally received and referred—the 1st and 2d to the committee on Religion; the 3d to the committee on the Judiciary; and the 4th to the committee on Propositions and Grievances.

Mr. Bradley, from the joint committee on Enrollments, reported that the committee had examined enrolled bills and enrolled preamble and resolutions which originated in the Senate, of the following titles, and had found the same truly enrolled, to-wit:

An act for the benefit of John Caruth, of Allen county.

An act for the benefit of William B. Carlisle, Sheriff of Green county.

An act for the benefit of L. D. Berry, of Hickman county.

An act to amend an act for the benefit of John U. Watson and Pemberton Cave, approved February 17, 1847.

An act for the benefit of William Wood, Surveyor of Clinton county, and for other purposes.

An act to change the name of Elizabeth G. M. Douglass.

An act to exempt certain property, in the town of Flemingsburg, from town tax.

An act for the benefit of Rice Maxey.

An act directing proclamation to be made of the readiness of the State of Kentucky to redeem her unpaid six year bonds.

A resolution to fire a national salute on the 8th of January.

Preamble and resolutions inviting General Taylor to visit the Capital of Kentucky.

Resolutions concerning newspaper postage.

And enrolled bills and enrolled resolutions which originated in the House of Representatives, of the following titles, to-wit:

An act for the benefit of E. T. White, Deputy Sheriff of Daviess county.

An act to change the name of Maria A. Peyton.

An act to change the name of Nancy J. Yates to that of Nancy J. Wilson, and for other purposes.

An act to legalize the proceedings of the Ohio County Court.

An act to change the name of John M. Hall.

An act to incorporate the Franklin Institute, in the town of Lancaster.

An act to enlarge the powers of the Board of Internal Improvement for Graves county.

An act to change the names of certain citizens of Crittenden county, and for other purposes.

An act for the benefit of the Clerks of the Union County and Circuit Courts.

An act to change the time of holding the April Term of the Union County Court.

An act to legalize the proceedings of the November Term of the Pulaski County Court, and for other purposes.

An act for the benefit of Southern College.

An act to change the names of Joel R. Allcock, and others.

An act for the benefit of the officers and soldiers in the war with Mexico.

Resolution to appoint a committee to visit the Lunatic Asylum.

Resolutions in relation to the erection of a monument to the memory of the heroes of Buena Vista.

And had found the same truly enrolled.

The said bills and resolutions having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approbation and signature. After a short time Mr. Bradley reported that the committee had performed that duty.

Mr. Walker, from the committee on Propositions and Grievances, to whom was referred a bill from the House of Representatives, entitled, an act establishing the county of Taylor, reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Walker, from the same committee, to whom was referred the petition of Roberson Brown and wife, reported the following resolution thereon, to-wit:

Resolved, That said petition be rejected.

The question being taken on concurring in the said resolution, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Patterson and Williams, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Boyd,	Patterson,	Taylor,
Hardin,	Slaughter,	Todd,
Hobbs,	Speed Smith,	Wall,
Holloway,	Swope,	Williams—13.
McMillan,		

Those who voted in the negative, were—

Messrs. Bradley,	Grey,	Thomas,
Bramlette,	Hambleton,	Thornton,
Brien,	Hawkins,	Thurman,
Crenshaw,	Heady,	Walker,
Draffin,	James,	White,
English,	McNary,	Young—20.
Evans,	Russell,	

Ordered, That said committee prepare and report a bill pursuant to said petition.

After a short time Mr. Walker reported a bill for the benefit of Roberson Brown, of Allen county, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading being dispensed with,

The question was taken on engrossing and reading said bill a third time, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Patterson and Evans, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Bradley,	Hambleton,	Thomas,
Bramlette,	Hawkins,	Thornton,
Brien,	Heady,	Thurman,
Crenshaw,	James,	Walker,
Draffin,	Marshall,	White,
Evans,	McNary,	Young—20.
Grey,	Russell,	

Those who voted in the negative, were—

Messrs. Boyd,
Hardin,
Hobbs,
Holloway,

McMillan,
Patterson,
Slaughter,
Swope,

Taylor,
Todd,
Wall—11.

The constitutional rule as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A message, in writing, was received from the Governor, by Mr. Reed, Secretary of State.

The rule of the Senate being dispensed with, the said message was taken up, and read as follows, to-wit:

Gentlemen of the Senate:

I nominate for your advice and consent, O. M. DeCoursey to be Sheriff of Campbell county in place of George Morin, resigned.

WM. OWSLEY.

Resolved, That the Senate advise and consent to the said appointment.

Mr. J. Speed Smith, from the committee on Internal Improvement, reported a bill to connect the Kentucky River Navigation with the Louisville and Crab Orchard Turnpike road, in Mercer county, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading of said bill being dispensed with, it was placed in the orders of the day, and the Public Printer was directed to print 150 copies thereof for the use of the General Assembly.

Leave was given to bring in the following bills, to-wit:

On the motion of Mr. Draffin—1. A bill to authorize the payment of that part of the Common School Fund going to Districts No. 11 and 12, in Mercer county.

On the motion of Mr. Williams—2. A bill to amend the charter of the Covington and Lexington Turnpike Road Company.

On the motion of Mr. Hobbs—3. A bill to amend the charter of the Shepherdsville and Louisville Turnpike Road.

On the motion of Mr. Hawkins—4. A bill to amend the charter of the Dry Run and Covington Turnpike Road Company.

On the motion of same—5. A bill to incorporate the Rough and Ready Turnpike Road Company, in Boone county.

The committee on Education was directed to prepare and bring the 1st; the committee on Internal Improvement the 2d, 4th and 5th; and Messrs. Hobbs, J. Speed Smith and Heady were appointed a committee to prepare and bring in the 3d.

Mr. James read and laid on the table the following joint resolution, to-wit:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the joint committee on Banks be directed to visit, in person, the several Banks in Louisville, if in the discharge of their duty they shall deem it necessary.

Mr. J. Speed Smith, from a select committee, reported a bill to incorporate the Richmond Cemetery Company, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading being dispensed with, said bill was ordered to be engrossed and read a third time.

A message in writing, was received from the Governor, by Mr. Mitchell, Assistant Secretary of State.

The rule of the Senate being dispensed with, the said message was taken up, and read as follows, to-wit:

Gentlemen of the Senate:

I nominate for your advice and consent, E. C. Phister to be Mayor of Maysville.

Joseph H. McBeath to be Police Judge of Somerset.

Thomas Bristow to be Sheriff of Clinton county—the County Court having failed to recommend said officer in the time prescribed by the Constitution.

WM. OWSLEY.

Resolved, That the Senate advise and consent to the said appointments.

On the motion of Mr. James,

Resolved, That the committee on the Judiciary enquire into the expediency of passing a law providing for the more speedy settlement with Sheriffs, where the estates of deceased persons have been ordered into their hands.

After proceedings as a High Court of Impeachment, as stated on the record,

The Senate adjourned.

THURSDAY, JANUARY 13, 1848.

A message was received from the House of Representatives, announcing that they had passed a bill from the Senate, entitled, an act authorizing the County Court of Barren to purchase a lot, on which to erect a jail, and for other purposes.

That they had passed bills of the following titles, to-wit:

1. An act to amend an act, entitled, an act to reduce into one the several acts exempting property from execution, and for other purposes, approved February 7, 1845.

2. An act for the benefit of James Hambel, and for other purposes.
3. An act to divorce Eliza Turner.
4. An act to divorce Susanna Peters and change her name.
5. An act for the benefit of Marcus R. Hardin.
6. An act for the benefit of Nelson D. Bennett.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading of said bills being dispensed with, they were referred—the 1st and 2d to the committee on the Judiciary; and the 3d, 4th, 5th and 6th to the committee on Religion.

Mr. Thomas presented the petition of Sarah Lane, of Kenton county, praying for the passage of a law divorcing her from her husband, Alexander Lane.

Which was received and referred to the committee on Religion.

Mr. Walker, from a select committee, reported a bill authorizing the Secretary of State to furnish the State of Florida with certain reports of the Appellate Court, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

On the motion of Mr. J. Speed Smith,

Resolved, That the Sergeant-at-Arms shall have power to appoint one or more deputies to execute process and summon witnesses in the case of the impeachment of John A. Duff.

Mr. J. Speed Smith, from the committee on Internal Improvement, reported the following bills, to-wit:

A bill to amend the charter of the Covington and Lexington Turnpike Road Company.

A bill to amend an act, entitled, an act to incorporate the Dry Run and Covington Turnpike Road Company.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A message was received from the Governor, by Mr. Reed, Secretary of State, announcing that the Governor had approved and signed enrolled resolutions and bills, which originated in the Senate, of the following titles viz:

Resolutions concerning newspaper postage.

An act for the benefit of John Caruth, of Allen county.

An act for the benefit of L. D. Berry, of Hickman county.

A resolution to fire a national salute on the 8th of January.

An act to amend an act for the benefit of John U. Watson and Pemberton Cave, approved February 17, 1847.

An act to change the name of Elizabeth G. M. Douglass.

An act directing proclamation to be made of the readiness of the State of Kentucky to redeem her unpaid six year bonds.

Preamble and resolutions inviting Gen. Taylor to visit the capital of Kentucky.

Approved January 13, 1848.

On the motion of Mr. Hardin, the committee on the Judiciary was discharged from the duty of preparing and bringing in a bill to amend the laws in relation to chancery proceedings.

On the motion of Mr. Hardin, the committee on the Judiciary was discharged from the further consideration of a resolution to them referred, concerning the expediency and propriety of amending the law in relation to sureties in injunction bonds, restraining orders, &c.

Mr. Hardin, from the committee on the Judiciary, reported a bill to add an additional term to the Allen Circuit Court, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Hardin, from the same committee, to whom was referred a bill to modify and change the law of 1833, prohibiting the importation of slaves into this Commonwealth, reported the same, with the opinion of the committee that it ought not to pass.

Ordered, That said bill be committed to a committee of the whole house, on the state of the Commonwealth, and that it be made the special order of the day for Thursday next, the 20th inst., and that the Public Printer print 150 copies thereof for the use of the General Assembly.

Mr. Hardin, from the same committee, to whom was referred bills from the House of Representatives, of the following titles, to-wit:

An act for the benefit of the widow and heirs of John Duke, deceased.

An act for the benefit of Keziah E. Young and Sarah Young.

An act for the benefit of Martin Draper, late Sheriff of Grant county.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Hardin, from the same committee, to whom was referred the petition of George T. Edwards, reported the following resolution thereon, to-wit:

Resolved, That said petition be rejected.

The question being taken on concurring in said resolution, it was decided in the negative, and so the said resolution was rejected.

Ordered, That said committee prepare and report a bill pursuant to said petition.

Mr. Rice, from the same committee, reported a bill to change the law on filing bills of revivor in chancery, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Boyd, from the committee on Religion, reported a bill for the benefit of John Wright and Elizabeth his wife, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. James, from the committee on Finance, to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of the Sheriff of Hart county, reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. James, from the same committee, reported a bill for the benefit of Joseph Hinkle, of Muhlenburg county.

Mr. Evans, from the committee on Education, reported a bill for the benefit of the Common School Commissioners in Mercer county.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bills being dispensed, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

On the motion of Mr. Swope,

Resolved, That the committee on Internal Improvement be instructed to enquire into the validity of the claim of William Rowlett, for damages oc-

casioned by the erection of Lock and Dam, No. —, on the Kentucky river, and that they investigate the testimony upon which the claim is founded, and report by bill or otherwise.

On the motion of Mr. J. Speed Smith,

Resolved, That the committee on the Judiciary enquire into the expediency of enlarging the powers of curators.

Mr. Bradley, from the committee on Enrollments, reported that the committee had examined an enrolled bill, which originated in the House of Representatives, entitled, an act establishing the county of Taylor, and had found the same truly enrolled.

The said bill having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and it was delivered to the committee to be presented to the Governor for his approbation and signature. After a short time Mr. Bradley reported that the committee had performed that duty.

Leave was given to bring in the following bills, to-wit :

On the motion of Mr. Williams—1. A bill to amend an act to incorporate the Georgetown and Paris Turnpike Road Company, passed March 1, 1847.

On the motion of Mr. Swope—2. A bill to provide for the completion of the unfinished works on Licking river.

On the motion of Mr. Hawkins—3. A bill granting certain powers to the Trustees of the town of Petersburg, in Boone county, and for other purposes.

On the motion of Mr. J. Speed Smith—4. A bill to set apart, and dedicate to the purposes of general education and a continuation of the slackwater navigation on the Kentucky river, the nett proceeds of the improvements now made, and which may hereafter be made on said river.

On the motion of Mr. Thomas—5. A bill to amend the charter of the town of Newport.

The committee on Internal Improvement was directed to prepare and bring in the 1st and 4th; the committee on the Judiciary the 3d and 5th; and Messrs. Swope, Wall, Thomas and Williams were appointed a committee to prepare and bring in the 2d.

An engrossed bill entitled, an act to incorporate the Richmond Cemetery Company, was read the third time.

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The joint resolution read and laid on the table by Mr. James, on yesterday, concerning the committee on Banks, was taken up, twice read and adopted.

And then the Senate adjourned.

FRIDAY, JANUARY 14, 1848.

A message was received from the House of Representatives, announcing that they had received official information that the Governor had approved and signed enrolled bills and an enrolled resolution, which originated in that House, of the following titles, viz:

An act to change the name of Maria A. Peyton.

An act for the benefit of the officers and soldiers in the war with Mexico.

An act to change the names of certain citizens of Crittenden county, and for other purposes.

An act to change the name of Nancy J. Yates to that of Nancy J. Wilson, and for other purposes.

An act for the benefit of Southern College.

An act to change the time of holding the April Term of the Union County Court.

An act to change the name of John M. Hall.

An act to legalize the proceedings of the Ohio County Court.

Resolution to appoint a committee to visit the Lunatic Asylum.

Approved January 12, 1848.

An act to establish the county of Taylor.

Approved January 13, 1848.

That they had passed bills from the Senate, of the following titles, to-wit:

An act to amend an act, entitled, an act authorizing the Auditor to correct certain mistakes, and to issue warrants on the Treasury in certain cases, approved January 23, 1813.

An act for the benefit of Roberson Brown, of Allen county.

That they had passed bills of the following titles, to-wit:

1. An act for the benefit of the Clerk of the Fulton County Court.

2. An act for the benefit of Moses Cawood, late Sheriff of Harlan county.

3. An act to authorize Thomas Bratcher to raise his mill dam on Caney creek, in Grayson county.

4. An act for the benefit of certain Common School Districts.

5. An act for the benefit of the Clifton Guards, in Woodford county.

6. An act authorizing the Court of Assessment for the 106th Regiment of Kentucky Militia, to hold the court on the first Monday in April.

7. An act to amend an act, entitled, an act to incorporate the Faculty of the Western Military Institute.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading of said bills being dispensed with, they were referred—the 1st to the committee on the Judiciary; the 2d to the committee on Finance; the 3d to the committee on Internal Improvement; the 4th and 7th to the committee on Education; and the 5th and 6th to the committee on Military Affairs.

Mr. Hardin presented to the Senate the annual report of the Trustees of the Kentucky Institution for the Deaf and Dumb, at Danville, which is as follows, to-wit:

[For Report—see *Legislative Documents.*]

Ordered, That said report be referred to the committee on Finance, and that the Public Printer print 1000 copies thereof for the use of the Senate.

1. Mr. Thurman presented the petition of Edward Thompson, praying for the passage of a law allowing him compensation for keeping two idiots named George and Lewis Pike.

2. Mr. Hobbs presented the petition of sundry citizens of the city of Louisville, praying for the passage of a law incorporating the Kentucky College of Medicine and Surgery, in said city.

Which petitions were received and referred—the 1st to the committee on Finance, and the 2d to the committee on Education.

Mr. Hardin, from the committee on the Judiciary, reported a bill authorizing certain deed books of Logan County Court to be transcribed, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Boyd, from the committee on Religion, to whom was referred a bill from the House of Representatives, entitled, an act to divorce Eliza Turner, reported the same, with the opinion of the committee that it ought not to pass.

Ordered, That said bill be read a third time.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Boyd, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of Benjamin Collins, reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Boyd, from the same committee, to whom was referred bills from the House of Representatives, of the following titles, to-wit:

An act to divorce Susanna Peters and change her name.

An act to divorce William Wilkinson from his wife, Juliana Wilkinson.

Reported the same, with the opinion of the committee that they ought not to pass.

The question being taken on reading the said bills a third time, it was decided in the negative, and so the said bills were disagreed to.

Mr. J. Speed Smith, from the committee on Internal Improvement, to whom was referred a bill to amend an act, approved the 1st of March, 1847, chartering a company to construct a railroad from Frankfort to Louisville, reported the same, with the opinion of the committee that it ought not to pass.

The question being taken on engrossing and reading said bill a third time, it was decided in the negative, and so the said bill was rejected.

Mr. J. Speed Smith, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act to amend the road law in the county of Trimble, reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Helm, from the committee on Finance, to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of Jas. S. Smallwood, reported the same with an amendment, which was concurred in.

Ordered, That said bill be read a third time, as amended.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bill, as amended, do pass, and that the title thereof be as aforesaid.

Mr. Heady, from the committee on Military Affairs, to whom was referred a bill to amend the 65th section of the militia law, reported the same with an amendment.

Mr. Williams moved an amendment as a substitute for said bill and amendment, which was amended and concurred in.

Ordered, That said bill be engrossed and read a third time.

Leave was given to bring in the following bills, to-wit:

On the motion of Mr. Bradley—1. A bill to change the time of holding the Hopkins County Court.

On the motion of Mr. Evans—2. A bill for the benefit of Benjamin W. Burge, of Warren county.

On the motion of Mr. Thurman—3. A bill to change the venue in the case of the Commonwealth against William McCoy, David James, Mathew Clay, William Ratliffe and James Howard, who stand indicted in the Lawrence Circuit Court.

On the motion of Mr. Helm—4. A bill to prevent the sale of spirituous liquors to slaves.

The committee on the Judiciary was directed to prepare and bring in the 1st and 3d; Messrs. Evans, Draffin and Hawkins were appointed a committee to prepare and bring in the 2d; and Messrs. Helm, Russell and Thurman the 4th.

Mr. Evans, from a select committee, reported a bill for the benefit of Benjamin W. Burge, of Warren county, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A bill to connect the Kentucky River Navigation with the Louisville and Crab Orchard Turnpike road, in Mercer county, was taken up and referred to a committee of the whole House, on the state of the Commonwealth, and made the special order of the day for Wednesday next, the 19th inst.

On the motion of Mr. Boyd, the vote by which a bill from the House of Representatives, entitled, an act to divorce William Wilkinson from his wife, Juliana Wilkinson, was disagreed to, was reconsidered, and said bill was referred to the committee on Religion.

And then the Senate adjourned.

SATURDAY, JANUARY 15, 1848.

A message was received from the House of Representatives, announcing that they had concurred in the amendments proposed by the Senate, to a bill from that House, entitled, an act to re-take the sense of the people of this State as to the propriety of calling a Convention.

That they had passed bills from the Senate, of the following titles, to-wit:

An act for the benefit of the heirs of David Mize, deceased.

An act for the benefit of the children of Thomas D. Helm, deceased.

An act authorizing the Secretary of State to furnish the State of Florida with certain reports of the Appellate Court.

That they had passed bills of the following titles, to-wit:

1. An act to remove the Seat of Justice of Mason county, from the town of Washington to the city of Maysville.

2. An act to incorporate the Stickney Mining Company, of Crittenden county.

3. An act to incorporate the Columbian Mining Company, of Crittenden county.

4. An act for the benefit of the Sheriff of Floyd county.

5. An act to amend the law incorporating the town of Proctor, in Owsley county.

6. An act to authorize the city of Covington to levy a special tax.

7. An act for the benefit of Janette Cornell.

8. An act directing a change of venue to Henry S. Logan and Benjamin Raburn.

9. An act to amend the several acts to suppress duelling.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading of said bills being dispensed with, they were referred—the 1st, 6th and 7th to the committee on Propositions and Grievances; the 2d, 3d, 5th, 8th and 9th to the committee on the Judiciary; and 4th to the committee on Finance.

Mr. Grey presented the petition of W. B. Whitaker, who stands indicted in the Logan Circuit Court for murder, praying for the passage of a law granting him a change of venue.

Which was received and referred to the committee on the Judiciary.

Mr. Boyd, from the committee on Religion, reported a bill to incorporate the Bethlehem Cumberland Presbyterian Church, in Caldwell county, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Draffin, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of Marcus R. Hardin, reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Bramlette, from the same committee, reported a bill for the benefit of Calvin and Mary Johnson, of Clinton county, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading being dispensed with, said bill was amended, and ordered to be engrossed and read a third time.

The constitutional rule as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be amended by adding thereto, "and Elizabeth Ann Deacon, of Bullitt county."

Mr. J. Speed Smith, from the committee on Internal Improvement, reported a bill to amend an act to incorporate the Georgetown and Paris Turnpike Road Company, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading being dispensed with, said bill was ordered to be engrossed and read a third time.

Mr. J. Speed Smith, from the same committee, to whom was referred a bill to incorporate the Lexington and Newtown Turnpike Road Company, reported the same without amendment.

Ordered, That said bill be engrossed and read a third time.

The constitutional rule as to the third reading of the said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

On the motion of Mr. Slaughter,

Ordered, That a message be sent to the House of Representatives to ask leave to withdraw the report of the disagreement of the Senate to a bill from that House, entitled, an act to divorce Susanah Peters, and change her name; and Mr. Slaughter was directed to carry said message.

The said bill having been returned to the Senate, the vote by which it was disagreed to was reconsidered.

Ordered, That said bill be read a third time.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Evans, from the committee on Education, to whom was referred bills from the House of Representatives, of the following titles, to-wit:

An act for the benefit of certain Common School Districts.

An act to amend an act, entitled, an act to incorporate the Faculty of the Western Military Institute.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as afore-said.

Leave was given to bring in the following bills, to-wit:

On the motion of Mr. James—1. A bill for the benefit of Fleming Cayce, of Hickman county.

On the motion of Mr. Hawkins—2. A bill for the benefit of Maria Graves, of Boone county.

On the motion of Mr. Bradley—3. A bill to allow the Sheriff of Hopkins county further time to make out and return his delinquent list of muster fines, assessed by the 76th Regiment of Kentucky Militia for 1847.

On the motion of Mr. Patterson—4. A bill for the benefit of the infant heirs of Augustus F. Jacob.

On the motion of Mr. J. Speed Smith—5. A bill to amend the charter of the Frankfort Bridge Company, approved January 25, 1810.

On the motion of Mr. Helm—6. A bill to regulate the pleadings in demands set up against decedents estates.

On the motion of Mr. Wall—7. A bill to incorporate a turnpike road from Newtown, in Scott county, by the way of Leesburg, to Cynthiana, in Harrison county.

The committee on Finance was directed to prepare and bring the 1st, 2d and 3d; the committee on the Judiciary the 4th; the committee on Internal Improvement the 5th and 7th; and Messrs. Helm, Slaughter and Thurman were appointed a committee to prepare and bring in the 6th.

Mr. Bradley, from the joint committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, to-wit:

An act authorizing the County Court of Barren to purchase a lot, on which to erect a jail, and for other purposes.

An act to amend the charter of the Carlisle and Sharpsburg Turnpike Company.

An act for the benefit of Presley Steward, of Kenton county.

An act for the benefit of Mary C. Parker.

An act to appoint Trustees for the Ash Ridge Church and burying ground, in Fayette county.

An act to change the name of William G. Musgrove, and for other purposes.

An act for the benefit of Roberson Brown, of Allen county.

An act for the benefit of Urath O. Hundley and others.

An act to amend an act, entitled, an act authorizing the Auditor to correct certain mistakes, and to issue warrants on the Treasury in certain cases, approved January 23, 1813.

An act to incorporate the Christian Church at Stanford.

And enrolled bills which originated in the House of Representatives, of the following titles, to-wit:

An act to enlarge the jurisdiction of the Police Judge of the town of Henderson.

An act to incorporate the town of West Point, in Hardin county.

An act to change the names of E. H. Marrs, C. W. Marrs, and W. O. B. Marrs, and others.

An act for the benefit of Edward B. Gibson, of Simpson county.

An act to amend the laws in relation to the town of Bowlinggreen.

An act for the benefit of Amanda Hutcheson and her children.

An act giving the County Court of Russell power to sell a portion of lot No. —, on which the jail is situated.

An act for the benefit of the heirs of Simeon H. Anderson, deceased.

An act to allow an additional Justice of the Peace to Graves county, and an additional Constable to Logan county.

An act continuing in force the law providing for the appointment of Commonwealth's Attorneys.

An act authorizing the Trustees of the town of Cadiz, in Trigg county, to sell certain ground.

An act to change the name of George Henderson Robertson, and for other purposes.

An act for the benefit of James T. Pettus.

An act for the benefit of Frederick A. Kennon, and Harriet L., his wife.

And had found the same truly enrolled.

The said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approbation and signature. After a short time Mr. Bradley reported that the committee had performed that duty.

Mr. J. Speed Smith, from the committee on Internal Improvement, reported a bill to amend the charter of the Frankfort Bridge Company, approved January 25, 1810, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bills being dispensed, and the same being engrossed,

The question was taken on the passage of said bill, and it was decided in the negative, and so the said bill was rejected.

A message, in writing, was received from the Governor, by Mr. Reed, Secretary of State.

The rule of the Senate being dispensed with, the said message was taken up, and read as follows, to-wit:

Gentlemen of the Senate :

I nominate for your advice and consent, Thomas J. Hawks to be Police Judge of the town of Hopkinsville.

Harvey McGuire to be Police Judge of the town of Harrodsburg.

James M. Shephard to be Police Judge of the town of Georgetown.

D. C. Tuttle to be Commissioner of Deeds, &c., for Kentucky, in the State of Missouri.

Elliott Calvert to be Commissioner of Deeds, &c., for Kentucky, in the State of Massachusetts.

Frederick Colton to be Commissioner of Deeds, &c., for Kentucky, in the State of Ohio.

Lysander G. Gordon to be Notary Public of Hopkins county.

Burr H. Bemiss to be Police Judge of the town of Blandville.

A. D. Kingman to be Police Judge of the town of Hickman.

R. H. Barker to be Commissioner of Deeds, &c., for Kentucky, in the State of Louisiana.

W. C. Ireland to be Police Judge of the town of Clarksburg.

Ballard Smith to be Notary Public of Jefferson county.

Jabez D. Pratt to be Commissioner of Deeds, &c., for Kentucky, in the State of Maryland.

Thomas Kelly to be Notary Public of Bourbon county.

A. C. Ainsworth to be Commissioner of Deeds, &c., for Kentucky, in the State of Louisiana.

Charles Alexander to be Notary Public of Woodford county.

Henry H. Baker to be Commissioner of Deeds, &c., for Kentucky, in the State of South Carolina.

Henry Wilkins to be Commissioner of Deeds, &c., for Kentucky, in the State of Maryland.

James B. Haggin to be Commissioner of Deeds, &c., for Kentucky, in the State of Mississippi.

Joshua Mitchell to be Commissioner of Deeds, &c., for Kentucky, in the State of Pennsylvania.

Joseph Gray to be Sergeant of the Court of Appeals, in place of James C. Coleman, resigned.

WM. OWSLEY.

Resolved, That the Senate advise and consent to the said appointments.

Mr. Evans read and laid on the table the following joint resolution, to-wit:

Resolved by the General Assembly of the Commonwealth of Kentucky, That they will, on the 1st day of February, 1848, proceed, by joint vote of both Houses, to the election of the Public Officers of this State.

On the motion of Mr. Helm,

Resolved, That the committee on the Judiciary be instructed to enquire into the expediency of the passage of a law applying the statute of frauds and perjuries to all claims asserted by attornies at law, not founded on writing between the parties.

Mr. English read and laid on the table the following preamble and resolutions, viz:

Whereas, His Excellency, the Governor of the Commonwealth of Kentucky, has caused to be sent to both branches of the General Assembly, cer-

tain resolutions of several legislative bodies of our sister States. We likewise, as a component part of this great confederacy, solicitous that our position may be clearly defined, and the action of our beloved State, upon the great questions now being agitated in our republic, through us, their legal representatives, be clearly and explicitly avowed—we offer the following resolutions:

1. *Resolved by the General Assembly of the Commonwealth of Kentucky,* That with deep regret we have read the resolutions of the Legislatures of the States of Connecticut and Vermont. We see in those resolutions a determination, on their part, to sustain, by their legislative resolves, the Wilmot proviso, which passed the House of Representatives, in the Congress of the United States.

2. *Resolved,* That in our opinion the passage of said proviso would be a direct infringement on the rights of the slaveholding States—a flagrant violation of the compromise of the Constitution of the United States, which we hold most sacred, as well as an usurpation of power by the federal government, of a truly dangerous and alarming character.

3. *Resolved,* That the Constitution of the United States is a charter of definite and limited powers, and Congress transcends its legitimate functions whenever it interferes with the internal organization or domestic policy of any sovereign State or States of this confederacy.

4. *Resolved,* That all territory now or hereafter to be acquired by the United States, belongs to the several States, as their joint and common property, and as such, each and all having an equal right thereto, any enactment by the Federal Government which would, by its effects, prevent citizens of any of the States from emigrating to such territory with their property, whatever may be its description, would be in violation of the Constitution, a vital stab at our institutions and our dearest rights, and would have a tendency to subvert the Union.

5. *Resolved,* That in our judgment the present war with Mexico was founded in imperative necessity on our part, and could not have been avoided without hazarding the honor of the nation; and that, according to the usages of nations, we stand justified before the civilized world, and we believe it to be the duty of every patriot to sustain the government in prosecuting this war, which was brought on by the acts and doings of Mexico, to a reasonable termination and an honorable peace.

6. *Resolved,* That our Senators be instructed, and our Representatives in Congress be requested, to use their undivided exertions in sustaining the Government in accordance with the spirit and meaning of the foregoing preamble and resolutions.

7. *Resolved,* That His Excellency, the Governor of this Commonwealth, be and he is hereby requested to transmit a copy of these resolutions to the Executive of each State in the Union, with a request that they be laid before their respective Legislatures, and a like copy to the Senators and members of the House of Representatives from this State, in the Congress of the United States.

An engrossed bill, entitled, an act to amend the 65th section of the militia law, was taken up and laid on the table.

On the motion of Mr. Evans,

Ordered, That the Public Printer print 2000 additional copies of the annual report of the Superintendent of Public Instruction, for the use of the Senate.

And then the Senate adjourned.

MONDAY, JANUARY 17, 1848.

A message was received from the House of Representatives, announcing that they had passed bills, of the following titles, to-wit:

1. An act for the benefit of the mechanics of Union county.
2. An act for the benefit of Jonathan Pryor.
3. An act to amend the act to establish a Female Academy in the town of Harrodsburg, approved 9th February, 1829.
4. An act regulating the jurisdiction of the Police Judge of the town of Shelbyville.
5. An act to amend the road law of Greenup county.
6. An act to establish the town of Priceville, in Hart county.
7. An act to incorporate the Muddy River Navigation and Manufacturing Company.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading of said bills being dispensed with, they were referred—the 1st, 4th and 6th to the committee on the Judiciary; the 2d to the committee on Propositions and Grievances; the 3d to the committee on Education; and the 5th and 7th to the committee on Internal Improvement.

1. Mr. James presented the petition of sundry citizens of the town of Moscow and vicinity, praying for the passage of a law permitting Nathan Wallace to build a mill on the Bayou de Chien, at the town of Moscow; and also, the remonstrance of sundry citizens against the passage of said law.

2. Mr. Evans presented the petition of Major Weatherspoon, of Allen county, praying for the passage of a law to divorce him from his wife, Elizabeth Ann Weatherspoon.

3. Mr. Wall presented the petition of sundry citizens of the town of Brooksville, praying for the passage of a law to amend the charter of said town.

Which petitions were severally received and referred—the 1st to the committee on Internal Improvement; the 2d to the committee on Religion; and the 3d to the committee on the Judiciary.

Mr. Hobbs presented to the Senate the annual report of the President, Directors and Company of the Louisville and Portland Canal Company, which is as follows, to-wit:

Twenty-third annual report of the President and Directors of the Louisville and Portland Canal Company.

The balance in the Treasury, as shown by the last report, was appropriated in the purchase of shares, and 667 shares were taken, as authorized by a resolution of the stockholders, and the amount charged in the general account of the Company, which is as follows:

Louisville and Portland Canal Company, in General Account:

DEBITS.	
Balance of cash, January 1st, 1847,	\$ 110,781 30
Received for tolls in 1847,	139,900 72
	<u>\$ 250,682 02</u>
CREDITS.	
By 667 shares of the stock purchased and paid for,	\$ 124,062 00
By expenses on canal,	21,278 57
By tax to the State of Kentucky,	1,500 00
By incidental expenses—of salaries, office charges,	1,502 50
Balance of cash in Treasury, January 1st, 1848, &c.,	102,338 95
	<u>\$ 250,682 02</u>

The balance on hand will be immediately appropriated to the purchase of about 526 shares of stock, as authorized by an act of Assembly. which, added to those purchased in the four previous years, will make 6,546 shares retired, leaving 3,454 shares to be hereafter liquidated.

The unusual high water during the spring and summer, making a loss of about three months toll, and the disastrous flood of December, have reduced the amount of tolls below those of last year, some \$10,000. The great deposit of mud left in the canal by the late flood, and the damage to its banks from the same cause, will account for the increase in the expenses on the canal.

The Board deems it cause of congratulation to the stockholders, that the late flood, so destructive generally to the property on the Ohio, has done no more injury to the canal—the superintendent estimates that it can be cleared of its deposit of mud, and the banks repaired for about \$10,000. The locks have already been sufficiently repaired to pass boats, and there is no other obstruction than a deficiency in the depth of water, caused by the heavy deposit of mud, which every exertion is being used to remove.

It will be noticed, by an item in the above account, that the State of Kentucky has taxed the entire property and franchises of the canal, consequently no stockholder can be holden to give in the amount of his stock for taxation, and thus be subjected to a double tax.

The annexed table shows the number and tonnage of boats that have passed through the canal since its commencement.

Respectfully submitted. JAMES MARSHALL, *President.*
Office of the Louisville and Portland Canal Company, Dec. 31st, 1847.
 J. H. RHORER, *Secretary.*

Abstract of boats that have passed, and tolls received on the Louisville and Portland Canal.

Year.	Steam Boats.	Flat and Keel Boats.	Tons.	Amount received.
1831,	406	421	76,323	\$ 12,750 77
1832,	453	179	70,109	25,756 12
1833,	875	710	169,885	60,736 92
1834,	938	623	162,000	61,848 17
1835,	1,256	355	200,413	80,165 24
1836,	1,182	260	182,220	88,343 23
1837,	1,501	165	242,374	145,424 69
1838,	1,058	438	201,750	121,107 16
1839,	1,666	578	300,406	180,364 01
1840,	1,231	392	224,841	134,904 55
1841,	1,031	309	189,907	113,944 59
1842,	983	183	172,755	95,005 10
1843,	1,206	88	232,264	107,274 65
1844,	1,476	168	304,384	140,389 97
1845,	1,585	394	318,741	138,291 17
1846,	1,626	283	341,695	149,401 84
1847,	1,432	226	307,879	139,900 72
	19,875	5,572	3,698,266	\$ 1,795,608 90

At a meeting of the stockholders of the Louisville and Portland Canal Company, at their office in the city of Louisville, January 3, 1848, the report of the President and Directors was received and ordered to be printed.

The following persons were then duly elected President and Directors for the present year:

JAMES MASHALL, *President.*

JOHN HULME,
 J. CLEVES SHORT,
 PETER HULME,
 J. H. RHORER, } *Directors.*

Whereas, the individual stockholders in this Company have offered to sell and transfer to the Company, proportions of their stock, under the conditions of the amended charter of the Company, as adopted by the stockholders at their meeting on the 4th of July, 1842:

Resolved, That the Board of President and Directors proceed to purchase the number of shares that the net income of the Company will warrant, by taking from each individual stockholder the number of shares he is entitled to sell, under the arrangement adopted by the stockholders.

C. W. SHORT, *Chairman.*

[*Extract from the Minutes.*]

J. H. RHORER, *Secretary.*

The following bills were reported from the committee on the Judiciary to-wit:

By Mr. Hardin—A bill providing for a change of venue in the prosecution against William B. Whitaker.

By Mr. Patterson—A bill for the benefit of the widow and heirs of Samuel W. Bryce, deceased.

Which bills were each read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Rice, from the same committee, reported a bill for the benefit of Geo. T. Edwards, of Logan county, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading being dispensed with,

The question was taken on engrossing and reading said bill a third time, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Patterson and Grey, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Bradley,	Hambleton,	Russell,
Brien,	Helm,	Slaughter,
Draffin,	Hobbs,	Thomas,
Evans,	Marshall,	Thornton,
Fox,	McMillan,	Walker—17.
Grey,	McNary,	

Those who voted in the negative, were—

Messrs. Boyd,	Henderson,	Thurman,
Bramlette,	Holloway,	Todd,
Crenshaw,	Patterson,	Wall,
Hardin,	Rice,	White,
Hawkins,	Taylor,	Williams—16.
Heady,		

A message was received from the Governor, by Mr. Reed, Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles viz:

An act authorizing the County Court of Barren to purchase a lot, on which to erect a jail, and for other purposes.

An act to amend the charter of the Carlisle and Sharpsburg Turnpike Company.

An act to amend an act, entitled, an act authorizing the Auditor to correct certain mistakes, and to issue warrants on the Treasury in certain cases, approved January 23, 1813.

An act to incorporate the Christian Church at Stanford.

An act for the benefit of Roberson Brown, of Allen county.

An act for the benefit of Urath O. Hundley and others.

An act to appoint Trustees for the Ash Ridge Church and burying ground, in Fayette county.

An act to change the name of William G. Musgrove, and for other purposes.

An act for the benefit of Presley Steward, of Kenton county.

An act for the benefit of Mary C. Parker.

Approved January 15, 1848.

Mr. Walker, from the committee on Propositions and Grievances, to whom was referred bills from the House of Representatives, of the following titles, to-wit:

An act allowing an additional Justice of the Peace to the county of Daviess.

An act to authorize the County Court of Knox to appoint a Constable in the district including the town of Barboursville.

An act to authorize the city of Covington to levy a special tax.

An act allowing two additional Justices of the Peace to the county of Muhlenburg.

An act for the benefit of Janette Cornell.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Walker, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of Thomas St. Clair Lowe and George Wilson Jones, reported the same without amendment.

The said bill was amended, and ordered to be read a third time.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bill, as amended, do pass, and that the title thereof be amended by adding "and Amanda J. Miller."

Mr. Walker, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of William A. Butt, reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional rule as to the third reading being dispensed with,

The question was taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Henderson and Boyd, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Bradley,	Hambleton,	Speed Smith,
Bramlette,	Hawkins,	Swope,
Brien,	Heady,	Thomas,
Crenshaw,	Helm,	Thurman,
Draffin,	James,	Walker,
English,	Marshall,	White,
Evans,	Rice,	Young—23.
Grey,	Russell,	

Those who voted in the negative, were—

Messrs. Boyd,	Holloway,	Thornton,
Fox,	McMillan,	Todd,
Hardin,	McNary,	Wall,
Henderson,	Patterson,	Williams—14.
Hobbs,	Taylor,	

Resolved, That the title of the said bill be as aforesaid.

Mr. Swope, from the committee on Privileges and Elections, reported a bill to establish an additional election precinct in Caldwell county, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Swope, from the committee on Internal Improvement, reported a bill for the benefit of William Rowlett, of Owen county, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading being dispensed with, said bill was ordered to be engrossed and read a third time.

Mr. James, from the committee on Finance, to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of Moses Cawood, late Sheriff of Harlan county, reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Heady, from the committee on Military Affairs, to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of the Clifton Guards, in Woodford county, reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Heady, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act authorizing the Court of Assessment for the 106th Regiment Kentucky Militia, to hold their court on the first Monday in April, reported the same with an amendment, which was concurred in.

Ordered, That said bill be read a third time, as amended.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bill, as amended, do pass, and that the title thereof be as aforesaid.

Mr. Helm, from a select committee, reported a bill to prevent the sale of spirituous liquors to slaves, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading being dispensed with, said bill was amended, and ordered to be engrossed and read a third time.

The constitutional rule as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

On the motion of Mr. Rice,

Resolved, That the committee on the Judiciary report a bill providing adequate penalties against all tavern keepers and others, who vend ardent spirits in this Commonwealth, for selling or keeping open their drinking establishments on the Sabbath day.

Resolved further, That said committee enquire into the propriety of repealing the law which permits merchants and dealers in dry goods to sell spirits by the quart, upon certain conditions, &c.

Leave was given to bring in the following bills, to-wit:

On the motion of Mr. Grey—1. A bill to incorporate the Hopkinsville and Cumberland River Railroad Company.

On the motion of Mr. Evans—2. A bill to regulate the appointment of Commissioners in Chancery, to carry into effect the decrees of such courts.

On the motion of Mr. English—3. A bill for the benefit of William G. Pierce, of Trimble county.

On the motion of Mr. Thurman—4. A bill supplementary to an act establishing the county of Taylor.

On the motion of same—5. A bill to amend an act incorporating the town of Greensburg, in Green county.

Messrs. Grey, Patterson and Fox were appointed a committee to prepare and bring in the 1st; Messrs. English, Draffin and Bradley the 3d; and the committee on the Judiciary was directed to prepare and bring in the 2d, 4th and 5th.

Mr. Grey, from a select committee, reported a bill to incorporate the Hopkinstown and Cumberland River Railroad Company, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading being dispensed with, said bill was referred to the committee on Internal Improvement.

An engrossed bill, entitled, an act to amend an act to incorporate the Georgetown and Paris Turnpike Road Company, approved March 1, 1847, was read the third time.

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A resolution fixing a day for the election of Public Officers, read and laid on the table by Mr. Evans, on Saturday, was taken up, twice read and adopted.

Preamble and resolutions in relation to the Wilmot proviso and the war with Mexico, read and laid on the table by Mr. English, on Saturday, the 15th instant, were taken up.

Mr. Heady moved that the Public Printer print 150 copies of said preamble and resolutions, for the use of the General Assembly.

The question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Heady and Bradley, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Bradley,	Hobbs,	Swope,
Brien,	Holloway,	Thomas,
Draffin,	James,	Thornton,
English,	Marshall,	Thurman,
Evans,	McNary,	Todd,
Hardin,	Rice,	Wall,
Hawkins,	Slaughter,	Williams,
Heady,	Speed Smith,	Young—25.
Helm,		

Those who voted in the negative, were—

Messrs. Boyd,	Grey,	Patterson,
Bramlette,	Hambleton,	Russell,
Crenshaw,	Henderson,	Taylor,
Fox,	McMillan,	White—12.

Ordered, That said preamble and resolutions be referred to the committee on Federal Relations.

The Speaker laid before the Senate a communication from Ambrose W. Dudley, which is as follows, to-wit:

FRANKFORT, January 17, 1848.

Hon. A. DIXON,
Speaker of the Senate.

SIR: On the 20th of July last, the remains of the gallant officers and soldiers of Kentucky, who fell at the memorable battle of Buena Vista, were interred, with appropriate honors, in the Cemetery at this place. As nearly as could be estimated, 20,000 citizens assembled from various parts of the State, and united, on that day, to pay this last tribute of respect, and to consign to the bosom of their beloved Kentucky the remains of those who had so bravely sustained her banner in the field, and sealed their patriotism with their blood.

The enclosed preamble and resolutions were unanimously adopted by the citizens then assembled; and, in discharge of my duty as "Chief Marshal" of the day, I have the honor, herewith, to enclose them to you, that they may thus be laid before the honorable body over which you preside.

I have the honor to be,

Most respectfully

Your obedient servant,

A. W. DUDLEY.

WHEREAS, The people of Kentucky, feeling just pride in being among the first at all times to maintain the honor, and to defend the rights of our common country, responded promptly to her call for that purpose so soon as it was known she was engaged in a war with Mexico.

While engaged in that war, and on the battle field of the memorable Buena Vista, where victory crowned the national arms with success, many of the patriotic volunteers of this State, after having aided to add another laurel to our State chaplet, and while in the discharge of their patriotic duty fell, to rise no more.

It is truly the boast of a free people and grateful country, that they are ever ready to do honor to the memory of all who die in their defence, and we rejoice that Kentucky has set the example of gathering from the battle fields of our enemies, the remains of all those whose lives have been given in defence of the national flag, with a view of having them brought back to the land of their nativity and the home of their friends, to be deposited in a burial place belonging to the State and devoted to such purposes.

We, the people here assembled, are present to testify our respect for the valor of our departed countrymen while living, to mingle our sorrows with the friends of the honored dead, and to unite in paying the last earthly tribute of respect to their memories, by this public demonstration of our regret for their fall. To carry out this proper manifestation of public regard, we believe a monument and appropriate cenotaph to perpetuate their names and heroic deeds, should be erected by the State over their graves. Therefore,

Resolved, That this mass meeting of the people of Kentucky, assembled for the purposes and objects stated in the foregoing preamble, do respectfully recommend to the next Legislature of this State, to make a suitable but liberal appropriation to procure the erection of a monument over the remains of all the officers and soldiers who may be buried in the State grounds of the Frankfort Cemetery.

Ordered, That said report be referred to the joint committee appointed in pursuance of a resolution in relation to the erection of a monument to the memory of the heroes of Buena Vista.

And then the Senate adjourned.

TUESDAY, JANUARY 18, 1848.

A message was received from the House of Representatives, announcing that they had received official information that the Governor had approved and signed enrolled bills, which originated in that House, of the following titles, viz:

An act to change the name of George Henderson Robertson, and for other purposes.

An act for the benefit of James T. Pettus.

An act to change the names of E. H. Marrs, C. W. Marrs, and W. O. B. Marrs, and others.

An act to amend the laws in relation to the town of Bowlinggreen.

An act for the benefit of the heirs of Simeon H. Anderson, deceased.

An act authorizing the Trustees of the town of Cadiz, in Trigg county, to sell certain ground.

An act to allow an additional Justice of the Peace to Graves county, and an additional Constable to Logan county.

An act for the benefit of Frederick A. Kennon, and Harriet L., his wife.

An act continuing in force the law providing for the appointment of Commonwealth's Attorneys.

An act giving the County Court of Russell power to sell a portion of lot No. —, on which the jail is situated.

Approved January 15, 1848.

That they had concurred in the adoption of a resolution from the Senate, concerning the committee on Banks, with an amendment, which was concurred in.

That they had adopted a resolution in relation to the establishment of another Lunatic Asylum.

Which was twice read and concurred in.

That they had passed bills of the following titles, to-wit:

1. An act for the benefit of William B. Dunlap, of Shelby county.

2. An act to extend Canal street, in the town of Harrodsburg.
3. An act for the benefit of John H. Breeding and wife, and for other purposes.
4. An act to amend the road law of Pendleton county.
5. An act to enlarge the Constable's District including the town of Hartford, in Ohio county.
6. An act to legalize the laying off and surveying the town of Monterey, and change the place of voting.
7. An act to incorporate the Trustees of Liberty school house, in Trimble county.
8. An act for the benefit of Major General Robert Martin.
9. An act to change the name of Thaddeus Franklin to that of Thaddeus Mortimer.
10. An act to change the names of certain persons, and for other purposes.
11. An act allowing to the county of Letcher an additional Justice of the Peace and Constable, and for other purposes.
12. An act for the benefit of Juliann Dickson Thomasson.
13. An act for the benefit of the mechanics of Fayette, Hart, Henderson and Anderson counties.
14. An act for the benefit of Samuel Jarvis.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading of said bills being dispensed with, they were referred—the 1st, 6th, 12th, 13th and 14th to the committee on the Judiciary; the 2d and 4th to the committee on Internal Improvement; the 3d to the committee on Finance; the 5th, 9th, 10th and 11th to the committee on Propositions and Grievances; the 7th to the committee on Education; and the 8th to committee on Military Affairs.

1. Mr. Grey presented the petition of sundry citizens of the town of Hopkinsville, praying for the passage of a law enlarging the powers of the trustees of said town.

2. Mr. Bramlette presented the petition of Pleasant H. Williams, of Clinton county, praying for the passage of a law permitting him to retain in his possession certain slaves imported by him from the State of Tennessee, and exempting him from the penalty of the law of 1833, prohibiting the importation of slaves into this State.

3. Mr. Thurman presented the petition of Thomas J. Montgomery, of Washington county, one of the heirs of M. Flournoy, praying for the passage of a law authorizing James L. Ballard and Matilda, his wife, to make conveyance of the interest of said Matilda, in the land of her deceased mother, to A. J. Mitchell.

4. Mr. Grey presented the petition of Louisa V. Newman, of Carroll county, Mississippi, praying for the passage of a law permitting her to re-

move certain dower slaves, in the estate of Thomas A. Cocke, deceased, to the State of Mississippi.

5. Mr. White presented the petition of Andrew J. Spear, Sheriff of Owsley county, praying for the passage of a law authorizing him, either by himself or deputy, to collect the revenue and county levy remaining due and uncollected, for the year 1844.

Which petitions were severally received and referred—the 1st to the committee on Internal Improvement; the 2d and 4th to the committee on Propositions and Grievances; the 3d to the committee on the Judiciary; and the 5th to committee on Finance.

Mr. Grey presented the memorial of sundry citizens of Hopkinsville and Christian county, praying for the location of a Lunatic Asylum in the Green river country or southern part of Kentucky.

Ordered, That the Public Printer print 150 copies of the said memorial, for the use of the General Assembly.

Mr. Walker, from the committee on Propositions and Grievances, to whom was referred a bill from the House of Representatives, entitled, an act to remove the Seat of Justice of Mason county, from the town of Washington to the city of Maysville, reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A message, in writing, was received from the Governor, by Mr. Reed, Secretary of State.

The rule of the Senate being dispensed with, the said message was taken up, and read as follows, to-wit:

Gentlemen of the Senate:

I nominate for your advice and consent, Edwin Trimble to be Colonel; Samuel K. Friend, Lieut. Colonel, and Wiley W. Morgan, Major of 98th Regiment, — Brigade.

Archibald Stevenson to be Major of 36th Regiment, 5th Brigade.

John W. Forbes to be Colonel; E. A. Hewitt, Lieut. Colonel, and G. W. Bates, Major of 12th Regiment, 6th Brigade.

A. J. Bartlett to be Lieut. Colonel, and P. U. Major, Major of 22d Regiment, 6th Brigade.

David M. Carly to be Colonel; J. L. Clarke, Lieut. Colonel, and David T. Younger, Major of 23d Regiment, 11th Brigade.

Samuel Harris to be Lieut. Colonel, and W. S. Walker, Major of 29th Regiment, 30th Brigade.

F. H. Ramsey to be Major of 36th Regiment, 5th Brigade.

James Sanders to be Colonel; Lewis Malone, Lieut. Colonel, and Alexander H. Logan, Major of 37th Regiment, 2d Brigade.

Thomas Morgan to be Lieut. Colonel, and Thomas N. Mann, Major of 40th Regiment, 17th Brigade.

Edward Stone to be Colonel; William Bramlette, Lieut. Colonel, and William S. Richart, Major of 47th Regiment, 15th Brigade.

E. Q. Jacobs to be Colonel; Jackson R. Shipp, Lt. Colonel, and J. H. McDaniel, Major of 51st Regiment, 21st Brigade.

T. O. Marrs to be Major of 56th Regiment, 14th Brigade.

John Gudgitt to be Colonel; Ratliff Baird, Lieut. Colonel, and Henry George, Major of 65th Regiment, 15th Brigade.

J. H. Clubb to be Lieut. Colonel of 88th Regiment, 2d Brigade.

W. W. Allnut to be Lieut. Colonel, and Henry B. Theobald, Major of 100th Regiment, 6th Brigade.

J. M. Neville to be Lieut. Colonel, and John D. Gray, Major of 101st Regiment, 20th Brigade.

A. M. Scott to be Lt. Colonel, and H. W. Johnson, Major of 117th Regiment, 21st Brigade.

William R. Bradford to be Colonel, and Thomas Lewinski, Lieut. Colonel of the Fayette Legion.

Levi G. Darnall to be Brigadier General of the 15th Brigade.

W. W. Badger to be Lt. Colonel of 128th Regiment, 23d Brigade.

J. B. Carrico to be Colonel; William Hughes, Lieut. Colonel, and Squire Ash, Major of 119th Regiment, 2d Brigade.

Charles Haynes to be Major of 94th Regiment, 20th Brigade.

William L. Hamilton to be Lt. Colonel, and Christopher Hays, Major of 109th Regiment, 10th Brigade.

WM. OWSLEY.

Resolved, That the Senate advise and consent to the said appointments.

Mr. Draffin, from the committee on Religion, to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of Nelson D. Bennett, reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. J. Speed Smith, from the committee on Internal Improvement, to whom was referred bills from the House of Representatives, of the following titles, to-wit:

1. An act to amend the road law of Greenup county.

2. An act to incorporate the Muddy River Navigation and Manufacturing Company.

Reported the same without amendment.

The 2d bill was re-committed to the committee on Internal Improvement, and the 1st was ordered to be read a third time.

The constitutional rule as to the third reading of the 1st bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Evans, from the committee on Education, to whom was referred a bill from the House of Representatives, entitled, an act to amend the act

to establish a Female Academy in the town of Harrodsburg, approved 9th February, 1829, reported the same with an amendment, which was concurred in.

Ordered, That said bill be read a third time, as amended.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bill, as amended, do pass, and that the title thereof be as aforesaid.

The following bills were reported, to-wit:

By Mr. Patterson, from the committee on the Judiciary—1. A bill for the benefit of the widow and heirs of John Turley, deceased.

By Mr. English, from a select committee—2. A bill for the benefit of William G. Pierce, of Trimble county.

By Mr. Helm, from a select committee—3. A bill regulating the mode of proceeding against decedents estates.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading of said bills being dispensed with, the 3d was referred to the committee on the Judiciary, and the 1st and 2d were ordered to be engrossed and read a third time.

The constitutional rule as to the third reading of the 1st and 2d bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Bradley, from the joint committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, to-wit:

An act to re-take the sense of the people of this State as to the propriety of calling a Convention.

An act to amend the road law in the county of Trimble.

An act for the benefit of Benjamin Collins.

An act for the benefit of the widow and heirs of John Duke, deceased.

An act for the benefit of Keziah E. Young and Sarah Young.

An act for the benefit of the Sheriff of Hart county.

An act for the benefit of Martin Draper, late Sheriff of Grant county.

An act to divorce Eliza Turner.

And had found the same truly enrolled.

The said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approbation and signature. After a short time Mr. Bradley reported that the committee had performed that duty.

Leave was given to bring in the following bills, to-wit:

On the motion of Mr. Grey—1. A bill making an appropriation for the erection of a Lunatic Asylum in the Green river country or southern portion of the State.

On the motion of Mr. Russell—2. A bill to amend the several acts concerning the town of Frankfort.

On the motion of Mr. Crenshaw—3. A bill to appropriate the dividends of the State in the Bardstown and Louisville turnpike road, and in the Bardstown and Green river turnpike road, to the completion of the road between Bardstown and Glasgow.

Messrs. Grey, James, Patterson, Holloway, McNary, Walker and Evans were appointed a committee to prepare and bring in the 1st; the committee on the Judiciary was directed to prepare and bring in the 2d; and the committee on Internal Improvement the 3d.

An engrossed bill, entitled, an act for the benefit of George T. Edwards, of Logan county, was read the third time.

The question being taken on the passage of said bill, and it was decided in the affirmative; the Senate being equally divided, the Speaker voted in the affirmative.

The yeas and nays being required thereon by Messrs. Holloway and Boyd, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Bradley,	Grey,	McNary,
Brien,	Hambleton,	Russell,
Draffin,	Hobbs,	Speed Smith,
English,	James,	Thomas,
Evans,	Marshall,	Thornton,
Fox,	McMillan,	Walker—18.

Those who voted in the negative, were—

Messrs. Boyd,	Helm,	Taylor,
Bramlette,	Holloway,	Thurman,
Crenshaw,	Patterson,	Todd,
Hardin,	Rice,	Wall,
Hawkins,	Slaughter,	White,
Heady,	Swope,	Williams—18.

Resolved, That the title of the said bill be as aforesaid.

An engrossed bill, entitled, an act for the benefit of William Rowlett, of Owen county, was read the third time.

The question being taken on the passage of said bill, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Patterson and J. Speed Smith, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Boyd,	Hobbs,	Thomas,
Crenshaw,	Marshall,	Thornton,

Draffin,
Evans,
Grey,
Hardin,
Hawkins,
Helm;

Rice,
Russell,
Slaughter,
Speed Smith,
Swope,

Thurman,
Todd,
Walker,
Wall,
Williams—22.

Those who voted in the negative, were—

Messrs. Bradley,
Bramlette,
Brien,
Fox,
Hambleton,

Heady,
Holloway,
James,
McMillan,

McNary,
Patterson,
Taylor,
White—13.

Resolved, That the title of said bill be as aforesaid.

The Speaker laid before the Senate a communication from the President of the Board of Internal Improvement, which is as follows, to-wit:

OFFICE OF BOARD OF INTERNAL IMPROVEMENT, }
January 18th, 1848. }

SIR:—I have the honor to lay before you the report of the Board of Internal Improvement, in compliance with the several acts and resolutions of the last session of the General Assembly on the subject of our turnpikes; and to be, with profound respect,

Yours, &c.,

THOMAS METCALFE, P. B. I. I.

Hon. A. DIXON,

Speaker of the Senate.

[*For Report—see Legislative Documents.*]

Ordered, That said report be referred to the committee on Internal Improvement, and that the Public Printer print 150 copies thereof for the use of the General Assembly.

On the motion of Mr. Evans,

Resolved, That the committee on Internal Improvement be and they are hereby instructed to enquire into the propriety and expediency of the State relinquishing her interest in the Glasgow and Scottsville turnpike road, to such company of persons who may agree to finish said road, for the use of the same, until they shall be indemnified, from the proceeds of said road, for such expenditure; and that said committee report by bill or otherwise.

And then the Senate adjourned.

WEDNESDAY, JANUARY 19, 1848.

A message was received from the House of Representatives, announcing that they had disagreed to a bill from the Senate, entitled, an act to add an additional term to the Allen Circuit Court.

That they had passed bills from the Senate, of the following titles, to-wit:

An act for the benefit of Patrick Hickman.

An act for the benefit of John Wright, and Elizabeth, his wife.

That they had passed bills of the following titles, to-wit:

An act for the benefit of John H. Boarman.

An act for the benefit of Benjamin Franklin Violet.

An act for the benefit of Thomas Green, of Christian county.

An act for the benefit of William Fortson.

An act to incorporate the town of Clifton, in Woodford county.

An act to enlarge the Constable's District including the town of London.

An act for the benefit of Reese Bourland, of Ballard county.

1. Mr. Williams presented the petition of Eveline Adams, of Bourbon county, praying for the passage of a law divorcing her from her husband, Harvey Adams.

2. Mr. Hobbs presented the petition of George W. Brush, guardian of Mary E. Welsh, praying for the passage of a law authorizing the sale of the interest of his ward in certain lands, &c.

Which petitions were received and referred—the 1st to the committee on Religion, and the 2d to the committee on the Judiciary.

Mr. Hardin, from the committee on the Judiciary, to whom was referred bills from the House of Representatives, of the following titles, to-wit:

An act for the benefit of William B. Dunlap, of Shelby county.

An act to legalize the laying off and surveying the town of Monterey, and change the place of voting.

An act to amend the law incorporating the town of Proctor, in the county of Owsley.

An act directing a change of venue to Henry S. Logan and Benjamin Raburn.

An act to incorporate the Columbian Mining Company, of Crittenden county.

An act for the benefit of the Clerk of the Fulton County Court.

An act to establish the town of Priceville, in Hart county.

An act for the benefit of John S. Bledsoe.

An act regulating the jurisdiction of the Police Judge of the town of Shelbyville.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Hardin, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of James Hambel, and for other purposes, reported the same with an amendment, which was concurred in.

Ordered, That said bill be read a third time, as amended.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bill, as amended, do pass, and that the title thereof be as aforesaid.

Mr. Hardin, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of the mechanics of Fayette, Hart, Henderson and Anderson counties, reported the same, with the opinion of the committee that it ought not to pass.

The said bill was amended.

The question was taken on reading the said bill a third time, as amended, and it was decided in the negative, and so the said bill was disagreed to.

Mr. Hardin, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act to amend an act, entitled, an act to reduce into one the several acts exempting property from execution, and for other purposes, approved February 7, 1845, reported the same, with the opinion of the committee that it ought not to pass.

The said bill is as follows, to-wit:

SEC. 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That from and after the passage of this act, there shall be allowed, exempt from execution, distress or attachment for debt or fee bill, to each *bona fide* house-keeper with a family, one work beast and one side-saddle, in addition to the articles now specified and allowed by law.

SEC. 2. *Be it further enacted*, That any mechanic, who is a *bona fide* house-keeper, or any other *bona fide* house-keeper with a family, shall be permitted to select, to the amount of fifty dollars in value, from such property as said mechanic or other *bona fide* house-keeper may have and own, in addition to the articles now specified and allowed by law; which property, when selected and set apart, shall be allowed said mechanic or *bona fide* house-keeper, exempt from execution, distress or attachment for debt, in lieu of said additional work beast, allowed by the provisions of this act.

SEC. 3. *Be it further enacted*, That in all cases where any controversy shall arise between plaintiff and defendant, or officer and defendant, about the amount of property allowed to a mechanic or *bona fide* house-keeper by the provisions of this act, in lieu of said additional work beast, it shall be determined by two disinterested house-keepers, one to be chosen by the plaintiff or officer, and the other by the defendant: *Provided*, That the articles

specified in the foregoing sections shall not be considered assets in the hands of executors or administrators.

SEC. 4. *Be it further enacted*, That the provisions of this act shall not be so construed as to apply to any contracts or debts entered into or created prior to the passage of this act; and that the whole amount of property allowed by this act, and an act, entitled, "an act to reduce into one the several acts exempting property from execution, and for other purposes," approved February 7, 1845, shall not exceed in value the sum of three hundred dollars: *Provided, also*, That the whole amount of property allowed by the acts aforesaid shall remain subject to the payment of the revenue tax and county levy.

Mr. Fox moved to amend the said bill by striking out the words "one work beast and," in the first section, printed in italics, and also the 2d, 3d and 4th sections of said bill.

The question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Evans and Fox, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Boyd,	Marshall,	Thomas,
Bramlette,	McMillan,	Thornton,
Crenshaw,	McNary,	Todd,
English,	Patterson,	Walker,
Fox,	Rice,	Wall,
Hardin,	Taylor,	White—19.
Holloway,		

Those who voted in the negative, were—

Messrs. Bradley,	Hawkins,	Russell,
Brien,	Heady,	Speed Smith,
Draffin,	Helm,	Swope,
Evans,	Hobbs,	Thurman,
Grey,	James,	Williams—16.
Hambleton,		

Ordered, That said bill be referred to a committee of Messrs. J. Speed Smith, Helm and Evans.

Mr. Hardin, from the same committee, to whom was referred a bill to amend an act, entitled, an act further to protect the rights of married women, reported the same, with the opinion of the committee that it ought not to pass.

Ordered, That said bill be engrossed and read a third time.

Mr. Hardin, from the same committee, to whom was referred a bill to regulate the time of holding the Circuit and County Courts in Christian county, reported the same.

The said bill reads as follows, to-wit:

SEC. 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That hereafter the Circuit Courts for Christian county, in the

7th Judicial District, shall be held as follows: The Christian Circuit Courts shall commence on the first Mondays in May and November, and continue twenty four juridical days, if the business of the court shall require it.

SEC. 2. *Be it further enacted*, That hereafter there shall be no terms of the County Court of Christian held in the months of May and November; and instead thereof, said court shall hold a term commencing on the last Mondays in the months of April and October.

Mr. Walker moved to lay the said bill on the table till the 1st day of June next.

The question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Grey and Walker, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Bradley,	Holloway,	Todd,
Crenshaw,	McMillan,	Walker,
Evans,	Patterson,	Wall,
Hardin,	Speed Smith,	White,
Hawkins,	Taylor,	Williams—15.

Those who voted in the negative, were—

Messrs. Boyd,	Grey,	McNary,
Bramlette,	Hambleton,	Russell,
Brien,	Helm,	Swope—11.
Draffin,	Marshall,	

A bill to connect the Kentucky River Navigation with the Louisville and Crab Orchard turnpike road, in Mercer county, came up in the orders of the day.

The further consideration of the said bill was postponed, and it was made the special order of the day, in committee of the whole, for Friday, the 21st instant.

A message, in writing, was received from the Governor, by Mr. Reed, Secretary of State.

The rule of the Senate being dispensed with, the said message was taken up, and read as follows, to-wit:

Gentlemen of the Senate:

I nominate for your advice and consent, George W. McBeath to be Police Judge of the town of Columbia.

Henry F. Given, William Smedley, William Gordon, James L. Dallam and James L. Hodge to be Trustees of Cumberland Hospital.

WM. OWSLEY.

Resolved, That the Senate advise and consent to the said appointments.

1. Mr. Draffin presented the petition of John S. Petty, of Anderson county, praying for the passage of a law divorcing him from his wife, Julia A. Petty.

2. Mr. Heady presented the petition of Anderson W. Garret, and Polly, his wife, of Spencer county, praying for the passage of a law authorizing them, as the legal heirs of John Miller, deceased, to settle up his estate.

Which petitions were received and referred—the 1st to the committee on Religion, and the 2d to the committee on the Judiciary.

Mr. Bradley, from the joint committee on Enrollments, reported that the committee had examined an enrolled bill and an enrolled resolution, which originated in the Senate, of the following titles, to-wit:

An act for the benefit of John Wright, and Elizabeth, his wife.

A resolution concerning the committee on Banks.

And enrolled bills which originated in the House of Representatives, of the following titles, to-wit:

An act allowing an additional Justice of the Peace to the county of Daviess.

An act to authorize the County Court of Knox to appoint a Constable in the district including the town of Barbourville.

An act for the benefit of William A. Butt.

An act allowing two additional Justices of the Peace to the county of Muhlenburg.

An act to divorce Susanna Peters and change her name.

An act for the benefit of Marcus R. Hardin.

An act for the benefit of Moses Cawood, late Sheriff of Harlan county.

An act for the benefit of certain Common School Districts.

An act to amend an act, entitled, an act to incorporate the Faculty of the Western Military Institute.

An act for the benefit of Janette Cornell.

An act to authorize the city of Covington to levy a special tax.

And had found the same truly enrolled.

The said bills and resolution having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approbation and signature. After a short time Mr. Bradley reported that the committee had performed that duty.

And then the Senate adjourned.

THURSDAY, JANUARY 20, 1848.

A message was received from the House of Representatives, announcing that they had received official information that the Governor had approved and signed enrolled bills, which originated in that House, of the following titles, viz:

An act to enlarge the jurisdiction of the Police Judge of the town of Henderson.

An act to incorporate the town of West Point, in Hardin county.

An act for the benefit of Edward B. Gibson, of Simpson county.

An act for the benefit of Amanda Hutcheson and her children.

Approved January 15, 1848.

An act for the benefit of the Sheriff of Hart county.

An act for the benefit of Martin Draper, late Sheriff of Grant county.

An act to amend the road law in the county of Trimble.

An act for the benefit of Benjamin Collins.

An act to divorce Eliza Turner.

An act to re-take the sense of the people of this State as to the propriety of calling a Convention.

An act for the benefit of Keziah E. Young and Sarah Young.

An act for the benefit of the widow and heirs of John Duke, deceased.

Approved January 18, 1848.

That they had disagreed to a bill from the Senate, entitled, an act to change the law on filing bills of revivor in chancery.

That they had passed a bill from the Senate, entitled, an act to incorporate the Richmond Cemetery Company.

That they had passed bills of the following titles, to-wit:

1. An act for the benefit of Achille Dubourg.

2. An act for the benefit of Thomas H. Hord and wife.

3. An act to change the time of holding the Hancock Circuit Court, and to limit the terms of the Breckinridge Circuit Court.

4. An act for the benefit of George Martin, of Greenup county.

5. An act for the benefit of Nathan B. Chism.

6. An act to divorce Elvina House, and for other purposes.

7. An act for the benefit of Maria M. Gillis, and for other purposes.

8. An act for the benefit of Elizabeth Huffaker.

9. An act for the benefit of Mary D. Mosby.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading of said bills being dispensed with, they were referred—the 1st, 5th, 6th, 7th, 8th and 9th to the

committee on Religion; and the 2d, 3d and 4th to the committee on the Judiciary.

1. Mr. Hobbs presented the petition of the Mayor and Council of the city of Louisville, praying for the passage of a law incorporating the Cave Hill Cemetery Company, near said city.

2. Mr. Heady presented the petition of Henry Trunnell, of Bullitt county, praying for the passage of a law to divorce him from his wife, Louisa Trunnell.

3. Mr. Patterson presented the petition of Mary Fenley, of Shelby county, praying for the passage of a law divorcing her from her husband, Wm. C. Fenley.

4. Mr. Grey presented the petition of sundry citizens of Christian county, praying for the passage of a law increasing the jurisdiction of the Police Judge of the town of Hopkinsville.

5. Mr. Bradley presented the petition of M. B. Haynes, Sheriff of Crittenden county, praying for the passage of a law allowing him further time to return his delinquent list of muster fines for the 138th Regiment of Kentucky Militia, for the year 1846.

6. Mr. English presented the petition of John C. Montfort, praying for the passage of a law extending the limits of the town of Pleasureville, in Henry county.

Which petitions were severally received and referred—the 1st to a select committee of Messrs. Hobbs, J. Speed Smith and Crenshaw; the 2d and 3d to the committee on Religion; the 4th to the committee on the Judiciary; the 5th to the committee on Finance; and the 6th to the committee on Propositions and Grievances.

Mr. Hobbs presented to the Senate the acceptance, on the part of the stockholders of the Louisville Savings Institution, of the amendment of the charter of said Institution, as provided in said amendment, and which is as follows, to-wit:

SATURDAY, March 6, 1847.

At a meeting of the stockholders of the Louisville Savings Institution, on this day, at its office in Louisville, held according to due notice published in the Louisville Journal and the Louisville Daily Democrat, two legally authorized newspapers, published in the city of Louisville, for the election of nine Directors to serve for the ensuing twelve months; and also for the purpose of taking into consideration the expediency of adopting the amendment made to the charter of this Institution, by an act passed at the last session of the Legislature of the State of Kentucky—when and where the following named stockholders were present, either by themselves in person, or by their respective proxies, per power duly authenticated, to-wit:

Sidney Anderson, by Thomas Anderson, her Attorney.
Rhoda Anderson, by Thomas Anderson, her Attorney.
Paul Anderson, by Charles H. Lewis, his Attorney.
Thomas Anderson, Trustee for Lewis Jamison.

James D. Breckinridge.
 Mary E. Breckinridge, by J. D. Breckinridge, her Guardian.
 Nancy Frazer, by Thomas Anderson, her Attorney.
 S. S. Goodwin, Trustee for Ann Godard.
 S. S. Goodwin.
 H. B. L. Goodwin, by S. S. Goodwin, her Husband.
 Edmund H. Lewis.
 Charles H. Lewis.
 Leven Lawrence, deceased, by Robert Tyler, Executor.
 James Marshall.
 George W. Meriwether.
 Thomas T. Shreve.
 Levi Tyler.
 John C. Wenzell.
 Elizabeth Henning, by S. S. Goodwin, James Marshall, and G. W. Meriwether, her Attorneys.
 Matilda Maxey, by S. S. Goodwin, James Marshall, and G. W. Meriwether, her Attorneys.
 A. M. Heinshon, by S. S. Goodwin, James Marshall, and G. W. Meriwether, her Attorneys.
 C. Heinshon, by S. S. Goodwin, James Marshall, and G. W. Meriwether, her Attorneys.
 Margaret Bustard, by S. S. Goodwin, James Marshall, and G. W. Meriwether, her Attorneys.
 John Hulme, by S. S. Goodwin, James Marshall, and G. W. Meriwether, his Attorneys.
 James Guthrie, by S. S. Goodwin, James Marshall, and G. W. Meriwether, his Attorneys.
 Hugh Ferguson, by S. S. Goodwin, James Marshall, and G. W. Meriwether, his Attorneys.
 B. G. Cutter & Co., by S. S. Goodwin, James Marshall, and G. W. Meriwether, their Attorneys.
 Francis McKay, by S. S. Goodwin, James Marshall, and G. W. Meriwether, his Attorneys.
 Geo. C. Gwathmey, by S. S. Goodwin, James Marshall, and G. W. Meriwether, his Attorneys.
 Ellen G. Gwathmey, by S. S. Goodwin, James Marshall, and G. W. Meriwether, her Attorneys.
 Sophia W. Gwathmey, by S. S. Goodwin, James Marshall, and G. W. Meriwether, her Attorneys.
 Maria L. Gwathmey, by S. S. Goodwin, James Marshall, and G. W. Meriwether, her Attorneys.
 John Gwathmey, by S. S. Goodwin, James Marshall, and G. W. Meriwether, his Attorneys.
 Richard E. Smith, by S. S. Goodwin, James Marshall, and G. W. Meriwether, his Attorneys.
 Gerrett Bate, by S. S. Goodwin, James Marshall, and G. W. Meriwether, his Attorneys.
 John S. Snead, by S. S. Goodwin, James Marshall, and G. W. Meriwether, his Attorneys.
 Eliza E. Lindenburger, by S. S. Goodwin, James Marshall, and G. W. Meriwether, her Attorneys.
 Ann L. Lindenburger, by S. S. Goodwin, James Marshall, and G. W. Meriwether, her Attorneys.
 Fireman's Insurance Company, by S. S. Goodwin, James Marshall, and G. W. Meriwether, their Attorneys.
 William Miller, by S. S. Goodwin, James Marshall, and G. W. Meriwether, his Attorneys.
 John M. Talbot, by S. S. Goodwin, James Marshall, and G. W. Meriwether, his Attorneys.
 Wm. F. Petit, by S. S. Goodwin, James Marshall, and G. W. Meriwether, his Attorneys.
 John Tevis, by S. S. Goodwin, James Marshall, and G. W. Meriwether, his Attorneys.
 Joseph A. Phillips, by S. S. Goodwin, James Marshall, and G. W. Meriwether, his Attorneys.
 Ormsby Phillips, by S. S. Goodwin, James Marshall, and G. W. Meriwether, his Attorneys.
 Mary Phillips, by S. S. Goodwin, James Marshall, and G. W. Meriwether, her Attorneys.
 Henry A. Phillips, by S. S. Goodwin, James Marshall, and G. W. Meriwether, his Attorneys.
 Alexander Harbison, by S. S. Goodwin, James Marshall, and G. W. Meriwether, his Attorneys.
 Rosanna Harbison, by S. S. Goodwin, James Marshall, and G. W. Meriwether, her Attorneys.
 Sarah Grayson, by S. S. Goodwin, James Marshall, and G. W. Meriwether, her Attorneys.
 Joseph Swager, by S. S. Goodwin, James Marshall, and G. W. Meriwether, his Attorneys.
 Julia C. Bacon als. Gwathmey, by S. S. Goodwin, James Marshall, and G. W. Meriwether, her Attorneys.
 Charles W. Short, by S. S. Goodwin, James Marshall, and G. W. Meriwether, his Attorneys.
 Patrick Joyce, by S. S. Goodwin, James Marshall, and G. W. Meriwether, his Attorneys.
 Edward D. Hobbs, by S. S. Goodwin, James Marshall, and G. W. Meriwether, his Attorneys.
 Wm. C. Buckles, by S. S. Goodwin, James Marshall, and G. W. Meriwether, his Attorneys.
 Virginia Buckles, by S. S. Goodwin, James Marshall, and G. W. Meriwether, her Attorneys.
 John C. Buckles, by S. S. Goodwin, James Marshall, and G. W. Meriwether, his Attorneys.
 Simeon Yewell, by S. S. Goodwin, James Marshall, and G. W. Meriwether, his Attorneys.
 Adelaide Sanders als. Dumisneil, by S. S. Goodwin, James Marshall, and G. W. Meriwether, her Attorneys.
 Samuel R. Richardson, by S. S. Goodwin, James Marshall, and G. W. Meriwether, his Attorneys.
 John Williamson, by S. S. Goodwin, James Marshall, and G. W. Meriwether, his Attorneys.
 Geo. Guy Johnson, by S. S. Goodwin, James Marshall, and G. W. Meriwether, his Attorneys.
 David L. Beatty.
 Being sixty four names present and represented.

And upon the question being taken of the adoption of the said amendment of the charter of this Institution, extending its corporate character for the term of twenty years after the expiration of the period of the present charter, there was a unanimous vote of the sixty four stockholders present in favor of its adoption, which is a majority of the whole number of the stockholders in this Institution, (the number being ninety five;) which is ordered to be certified, according to said amended charter, to the next Legislature of this State.

The stockholders then elected nine Directors, and adjourned.

Which was signed by T. T. Shreve, D. L. Beatty and L. L. Shreve, as Judges.

LOUISVILLE SAVINGS INSTITUTION,
December 27th, 1847.

I, Jonas H. Rhorer, Treasurer of the Louisville Savings Institution, do hereby certify that the foregoing three pages contains a full and true transcript of the proceedings of the stockholders of this Institution, at a meeting held at the office of said Institution, on Saturday, March 6th, 1847, which was the first meeting subsequent to the passage of the act of the Legislature of Kentucky, extending the charter of said Institution; and I do also certify that at that time the number of the stockholders in the Institution were ninety five.

In witness, I have hereunto set my hand, and affixed the seal of the said Institution.

J. H. RHORER, *Treasurer.*

Mr. Hardin, from the committee on the Judiciary, to whom was referred a bill for the benefit of the children of William H. Arnett and others, reported the same with an amendment, which was concurred in.

Ordered, That said bill be engrossed and read a third time.

The constitutional rule as to the third reading of the said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Hardin, from the same committee, reported a bill regulating the taxation of costs in suits brought by administrators and executors, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Hardin, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of the mechanics of Union county, reported the same, with the opinion of the committee that it ought not to pass.

The question being taken on reading the said bill a third time, it was decided in the negative, and so the said bill was disagreed to.

Mr. Patterson, from the same committee, reported a bill to amend the charter of town of Paducah, and for other purposes, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Walker, from the committee on Propositions and Grievances, to whom was referred bills from the House of Representatives, of the following titles, to-wit:

An act to enlarge the Constable's District including the town of Hartford, in Ohio county.

An act allowing to the county of Letcher an additional Justice of the Peace and Constable, and for other purposes.

An act to change the name of Thaddeus Franklin to that of Thaddeus Mortimer.

An act for the benefit of Jonathan Pryor.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Boyd, from the committee on Religion, reported a bill to divorce Isabella Snelling, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading being dispensed with, said bill was amended, and ordered to be engrossed and read a third time.

The constitutional rule as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title be amended by adding, "and for other purposes."

Mr. Draffin, from the same committee, reported a bill for the benefit of Eveline Adams, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. J. Speed Smith, from the committee on Internal Improvement, to whom was referred a bill from the House of Representatives, entitled, an act to incorporate the Muddy River Navigation and Manufacturing Company, reported the same without amendment.

The said bill was amended, and ordered to be read a third time.

The constitutional rule as to the third reading being dispensed with,
Resolved, That said bill, as amended, do pass, and that the title thereof be as aforesaid.

Mr. J. Speed Smith, from the same committee, reported a bill to incorporate the Lebanon, New Market and Springfield Turnpike Road Company, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading being dispensed with,
Said bill was ordered to be engrossed and read a third time.

Mr. Grey, from the same committee, to whom was referred a bill to incorporate the Hopkinsville and Cumberland River Railroad Company, reported the same without amendment.

Ordered, That said bill be engrossed and read a third time.

The constitutional rule as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A message, in writing, was received from the Governor, by Mr. Reed, Secretary of State.

The rule of the Senate being dispensed with, the said message was taken up, and read as follows, to-wit:

Gentlemen of the Senate :

I nominate for your advice and consent, John W. Price to be Commissioner of Deeds, &c., for Kentucky, in the State of Louisiana.

Durham Sanders, Archibald Webster, Isaac Gibbons, Norman Christie, John B. Chandler, William Cloyd, Daniel P. White, Jr., Randolph Robinson and Wm. M. Edrington to be Justices of the new county of Taylor.

William Marshall, Jr. to be Sheriff, and William P. Rafferty to be Coroner of said county of Taylor.

WM. OWSLEY.

By the Governor:

W. D. REED, *Secretary of State*.

Resolved, That the Senate advise and consent to the said appointments.

A message was received from the Governor, by Mr. Reed, Secretary of State, announcing that the Governor had approved and signed an enrolled bill and an enrolled resolution, which originated in the Senate, of the following titles viz:

An act for the benefit of John Wright, and Elizabeth, his wife.

A resolution concerning the committee on Banks.

Approved January 19, 1848.

Mr. Helm read and laid on the table the following joint resolutions to-wit:

Resolved by the General Assembly of the Commonwealth of Kentucky, That that the Board of Internal Improvement be required to engage the service of a competent engineer, and ascertain the cost of repairing and putting in a condition, according to the most approved plan for running steam cars,

the Lexington and Ohio Railroad. That they also ascertain if there is a more practicable route than the present, of reaching the Kentucky river; if so, report the probable cost of constructing the change in the route, and procuring the right of way; and that they report, if practicable, to the present General Assembly.

Resolved, That the Board be instructed to enquire, and ascertain by bids or otherwise, what price can be had for said road, and their opinion of the probable effect which its sale would have upon the profits of the navigation of the Kentucky river; and that they report to the present or next General Assembly.

The rule of the Senate being dispensed with, the said resolution was taken up, twice read and adopted.

On the motion of Mr. Todd,

Resolved, That the committee on Internal Improvement be directed to enquire into the propriety of making provision, by law, for re-building, in a permanent manner, and on the most approved plan, the railroad from Lexington to Frankfort, either by the State, or by the State united with individual capital and enterprise; or to provide for a sale of the present road to a private company, for a fair consideration; and that said committee have leave to report by bill or otherwise.

Mr. Todd, from the select committee appointed for that purpose, reported a bill to fix the ratio and apportion the representation in the Senate and House of Representatives, for the ensuing four years, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading being dispensed with, said bill was committed to a committee of the whole house, on the state of the Commonwealth, and made the special order of the day for Monday, the 31st instant.

Ordered, That the Public Printer print 150 copies of the said bill, and also of the tables reported with it, for the use of the General Assembly.

Leave was given to bring in the following bills, to-wit:

On the motion of Mr. Hobbs—1. A bill to incorporate the Book Concern of the Methodist Episcopal Church South, the principal depository of which is in Louisville, Kentucky.

On the motion of Mr. Crenshaw—2. A bill to appropriate the proceeds of the sales of vacant lands, in Nicholas county, to the purposes of Internal Improvement in said county.

On the motion of Mr. Grey—3. A bill to regulate the time of holding the Circuit Courts in the 2d, 7th, 14th, 16th and 18th Judicial Districts.

On the motion of Mr. Russell—4. A bill to incorporate the town of Bridgeport, in Franklin county.

Messrs. Hobbs, Hardin, Helm, Walker, Thornton and J. Speed Smith were appointed a committee to prepare and bring in the 1st; Messrs. Grey, Patterson and McNary the 3d; the committee on Internal Improvement was

directed to prepare and bring in the 2d; and the committee on the Judiciary the 4th.

Bills from the House of Representatives, of the following titles, were severally read the first time, to-wit:

1. An act for the benefit of John H. Boarman.
2. An act for the benefit of Benjamin Franklin Violett.
3. An act for the benefit of Thomas Green, of Christian county.
4. An act for the benefit of William Fortson.
5. An act to incorporate the town of Clifton, in Woodford county.
6. An act to enlarge the Constable's District including the town of London.
7. An act for the benefit of Reese Bourland, of Ballard county.

Ordered, That said bills be read a second time.

The constitutional rule as to the second reading of said bills being dispensed with, they were referred—the 1st, 5th and 6th to the committee on the Judiciary, and the 2d, 3d, 4th and 7th to the committee on Propositions and Grievances.

The Senate, according to the standing order of the day, resolved itself into a committee of the whole House, on the state of the Commonwealth, Mr. Walker in the Chair. After a short time spent in committee, the Speaker resumed the Chair, when Mr. Walker reported that the committee had, according to order, had under consideration a bill to modify and change the law of 1833, prohibiting the importation of slaves into this State, and had gone through with the same, and directed him to report it to the Senate without amendment.

And then the Senate adjourned.

FRIDAY, JANUARY 21, 1848.

A message was received from the House of Representatives, announcing that they had received official information that the Governor had approved and signed enrolled bills, which originated in that House, of the following titles, viz:

An act for the benefit of certain Common School Districts.

An act to amend an act, entitled, an act to incorporate the Faculty of the Western Military Institute.

An act for the benefit of the Clifton Guards, in Woodford county.

An act for the benefit of William A. Butt.

An act to authorize the city of Covington to levy a special tax.

An act for the benefit of Janette Cornell.

An act allowing two additional Justices of the Peace to the county of Muhlenburg.

An act for the benefit of Moses Cawood, late Sheriff of Harlan county.

An act allowing an additional Justice of the Peace to the county of Daviess.

An act to authorize the County Court of Knox to appoint a Constable in the district including the town of Barbourville.

An act to divorce Susanna Peters and change her name.

An act for the benefit of Marcus R. Hardin.

Approved January 19, 1848.

That they had passed a bill from the Senate, entitled, an act to equalize the compensation for the collection of the revenue tax.

1. Mr. Hardin presented the petition of sundry citizens of Boyle county, praying for the passage of a law to incorporate a company to construct a railroad from Danville to the Kentucky River.

2. Mr. Rice presented the petition of sundry citizens of the town of Louisa, in Lawrence county, praying the passage of a law establishing a ferry at said town; and also the remonstrance of sundry citizens of said town against the establishment of said ferry.

3. Mr. Hobbs presented the petition of the President, Directors and Company of the Fontaine Ferry turnpike road, praying for an amendment to the charter of said road.

4. Mr. Crenshaw presented the petition of James H. Anderson, praying for the passage of a law authorizing him to build a dam across Little Barren river.

5. Mr. Walker presented the petition of sundry citizens of the town of Russellville, praying the location of a branch of the Lunatic Asylum at said town.

Which petitions were severally received and referred—the 1st, 3d and 4th to the committee on Internal Improvement; the 2d to the committee on the Judiciary; and the 5th to a select committee to whom was referred the subject of a Lunatic Asylum in the Green river country, or southern part of the State.

Ordered, That the Public Printer print 150 copies of the 5th petition, for the use of the General Assembly.

On the motion of Mr. Walker,

Leave was given to withdraw from the files of the Senate, the papers in relation to the erection of a Lunatic Asylum in the Green river country, or

southern part of this State, and the said papers were referred to the select committee on that subject.

Leave was given to bring in the following bills, to-wit:

On the motion of Mr. Heady—1. A bill for the benefit of Theodore L. Burnett, of Spencer county.

On the motion of Mr. Young—2. A bill for the benefit of Jacob Ellington of Morgan county.

On the motion of Mr. Williams—3. A bill to amend the act to incorporate the Paris Cemetery Company.

On the motion of Mr. White—4. A bill extending to Hiram Begley the further time of two years to collect tax and fees due him as former Sheriff of Perry county.

On the motion of Mr. Thurman—5. A bill to amend an act, entitled, an act for the benefit of Ann L. Clements.

On the motion of Mr. Wall—6. A bill to add an additional term to the Harrison Circuit Court.

The committee on the Judiciary was directed to prepare and bring in the 1st, 5th and 6th; Messrs. Young, Helm and Crenshaw were appointed a committee to prepare and bring in the 2d; Messrs. Williams, Boyd and Draffin the 3d; and Messrs. White, J. Speed Smith and Thurman the 4th.

Mr. J. Speed Smith, from the committee on Internal Improvement, to whom was referred a bill from the House of Representatives, entitled, an act to extend Canal street, in the town of Harrodsburg, reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Evans, from the committee on Education, to whom was referred a bill from the House of Representatives, entitled, an act to incorporate the Trustees of Liberty School House, in Trimble county, reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Heady, from the committee on Military Affairs, to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of Major General Robert Martin, reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Hardin, from the committee on the Judiciary, to whom was referred a bill from the House of Representatives, entitled, an act to amend the several acts to suppress duelling, reported the same without amendment.

Ordered, That said bill be read a third time.

On the motion of Mr. Hardin, the committee on the Judiciary was discharged from the duty of preparing and bringing in a bill providing for taking the depositions of physicians.

Mr. Walker, from the committee on Propositions and Grievances, to whom was referred bills from the House of Representatives, of the following titles, to-wit:

An act for the benefit of Reese Bourland, of Ballard county.

An act for the benefit of Thomas Green, of Christian county.

An act for the benefit of William Fortson.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Walker, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act to change the names of certain persons, reported the same with an amendment, which was concurred in.

Ordered, That said bill be read a third time, as amended.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bill, as amended, do pass, and that the title thereof be as aforesaid.

Mr. Walker, from the same committee, to whom was referred a bill from the House of Representatives, entitled an act for the benefit of William Andrews, of Monroe county, reported the same, with the opinion of the committee that it ought not to pass.

Ordered, That said bill be read a third time.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Walker, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of Benjamin Franklin Violet, reported the same without amendment.

The said bill was amended, and ordered to be read a third time.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bill, as amended, do pass, and that the title thereof be amended by adding, "and William Bush, Jr."

On the motion of Mr. Walker, the committee on Propositions and Grievances was discharged from the further consideration of the petition of Louisa V. Newman; and said petition was referred to the committee on the Judiciary.

Mr. Boyd, from the committee on Religion, to whom was a referred bills from the House of Representatives of the following titles, to-wit:

An act for the benefit of Elizabeth Huffaker.

An act to divorce William Wilkinson from his wife, Juliana Wilkinson.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. J. Speed Smith, from the committee on Internal Improvement, reported a bill to continue in force the 4th and 8th sections of an act, entitled, an act to amend the charter of the Louisville and Elizabethtown Turnpike Company, and Covington and Lexington Turnpike Company, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading being dispensed with, said bill was ordered to be engrossed and read a third time.

Mr. Rice, from the committee on the Judiciary, reported a bill to prevent the sale of spirituous liquors on the Sabbath day, and for other purposes, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading of said bill was dispensed with, and the Public Printer was directed to print 150 copies thereof for the use of the General Assembly.

The following bills were reported, to-wit:

By Mr. Hobbs, from a select committee—A bill to incorporate the Book Concern of the Methodist Episcopal Church South.

By Mr. Walker, from the committee on Propositions and Grievances—A bill extending the limits of the town of Pleasureville, in Henry county.

By same—A bill for the benefit of Moses Kirkpatrick, of Monroe county.

By same—A bill for the benefit of Pleasant H. Williams, of Clinton county.

By same—A bill to allow an additional Constable to Larue county.

By Mr. Williams, from a select committee—A bill to amend the act to incorporate the Paris Cemetery Company.

By Mr. Boyd, from the committee on Religion—A bill for the benefit of Major and Elizabeth Ann Weatherspoon, of Allen county.

By Mr. Hobbs, from a select committee—A bill to incorporate the Cave Hill Cemetery Company, of Louisville.

By Mr. Grey, from a select committee—A bill to establish the Cumberland River, Fairview and Green River Railroad Company.

Which bills were each read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Thomas, from the committee on Religion, reported a bill to divorce Sarah Lane, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading being dispensed with, said bill was amended, and ordered to be engrossed and read a third time.

The constitutional rule as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be amended by adding thereto, "and others."

Mr. Russell moved the following preamble and resolutions, which was unanimously adopted, to-wit:

Whereas, it is represented to the Senate that Captain Frank Chambers late of the 2d Regiment, Kentucky Infantry, departed this life in this city on Thursday, the 20th inst., of a painful and lingering disease, contracted from exposure and hardships in the service of his country, in Mexico, in the campaign under Gen. Z. Taylor, which terminated with the glorious victory of Buena Vista, where Captain Chambers, although suffering from disease, refused to be absent from the field of battle, but gallantly led on his command until fainting from debility and disease, he was carried from the field in a state of insensibility—therefore, in order to testify the proper respect for his memory, and admiration of his chivalry as a soldier and character as a man,

Resolved, That the Senate will adjourn in order to attend his funeral, which takes place at half past two o'clock, on this day.

Resolved, That the Senators of Kentucky deeply sympathize with the bereaved and widowed mother, and afflicted brothers and sisters of Captain Chambers.

And the Senate adjourned accordingly.

SATURDAY, JANUARY 22, 1848.

A message was received from the House of Representatives, announcing they had passed a bill from the Senate, entitled, an act to incorporate the Book Concern of the Methodist Episcopal Church South.

That they had passed bills of the following titles, to-wit:

1. An act increase the compensation of grand jurors.
2. An act relinquishing the title of the Commonwealth to certain real estate to trustees, for school purposes.
3. An act to increase the revenue.
4. An act for the benefit of Franklin Darnell.
5. An act for the benefit of Rebecca Shields.
6. An act for the divorce of Jesse Fitzgerald.
7. An act to divorce Susan F. Norrell, and for other purposes.
8. An act to amend the charter of the city of Maysville, and for other purposes.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading of said bills being dispensed with, they were referred—the 1st and 3d to the committee on Finance; the 2d and 8th to the committee on the Judiciary; and 4th, 5th, 6th and 7th to the committee on Religion.

1. Mr. Marshall presented the remonstrance of Hugh Mitchell and others, against the repeal of the law declaring Little Barren river a navigable stream.

2. Mr. Walker presented the petition of sundry citizens of Logan county, praying for the passage of a law incorporating a company in said county, for the purpose of manufacturing cotton and woolen goods.

3. Mr. Draffin presented the petition of sundry citizens of Mercer county, praying the State to aid in the construction of a turnpike road from Harrodsburg to Munday's landing, on the Kentucky river.

4. Mr. J. Speed Smith presented the petition of Thomas C. Barnes, administrator of Benjamin F. Thomas, deceased, praying the State, as a joint stockholder in the Owingsville and Big Sandy turnpike road, to make payment of her proportion of a judgment obtained by said Thomas against the President and Directors of said Company, in the Bath Circuit Court.

5. Mr. Rice presented the petition of sundry citizens of Carter county, praying for the passage of a law to change the road leading from Owingsville to Big Sandy.

6. Mr. Patterson presented the petition of J. H. Roberts and Coleman Brown, of Caldwell county, praying for the passage of a law authorizing them to make conveyance of certain land sold in the life time of the wives of said petitioners.

7. Mr. White presented the petition of Mary Howard, praying for the passage of a law divorcing her from her husband, Eli Howard.

8. Mr. Patterson presented the petition of sundry citizens of the town of Paducah, praying for the passage of a law authorizing the Chairman and Board of Trustees of said town to file their petition in the McCracken Cir-

cuit Court, to have lots numbering from 13 to 20, inclusive, condemned for for the use of said town.

9. Mr. Hardin presented the petition of Francis M. Ewing, who stands indicted in the Adair Circuit Court for murder, praying for the passage of a law granting him a change of venue.

10. Mr. J. Speed Smith presented the petition of sundry citizens of Clay county, praying for the passage of a law making an appropriation for the improvement of the South Fork of the Kentucky river.

Which petitions were severally received and referred—the 1st, 3d, 4th, 5th and 10th to the committee on Internal Improvement; the 2d to the committee on Agriculture and Manufactures; the 6th, 8th and 9th to the committee on the Judiciary; and the 7th to the committee on Religion.

Mr. Hardin, from the committee on the Judiciary, to whom was referred bills from the House of Representatives, of the following titles, to-wit:

An act for the benefit of Thomas H. Hord and wife.

An act to change the time of holding the Hancock Circuit Court, and to limit the terms of the Breckinridge Circuit Court.

An act to incorporate the town of Clifton, in Woodford county.

An act for the benefit of George Martin, of Greenup county.

An act to enlarge the Constable's District including the town of London.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

On the motion of Mr. Bradley,

Ordered, That a message be sent to the House of Representatives to ask leave to withdraw the report of the passage, by the Senate, of a bill from that House, entitled, an act to incorporate the Columbian Mining Company, of Crittenden county; and Mr. Bradley was directed to carry said message.

The said bill having been returned to the Senate, the votes by which it was passed and ordered to be read a third time, were reconsidered, and the said bill was re-committed to the committee on the Judiciary.

Mr. Boyd, from the committee on Religion, to whom was referred bills from the House of Representatives, of the following titles, to-wit:

An act to divorce Elvina House, and for other purposes.

An act for the benefit of Maria M. Gillis, and for other purposes.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The constitutional rule as to third reading being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Draffin, from the same committee, to whom was referred bills from the House of Representatives, of the following titles, to-wit:

An act for the benefit of Nathan B. Chism.

An act for the benefit of Achille Dubourg.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Draffin, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of Mary D. Mosby, reported the same without amendment.

The said bill was amended, and ordered to be read time.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bill, as amended, do pass, and that the title thereof be amended by adding, "and Daniel B. Mosby."

Mr. J. Speed Smith, from the committee on Internal Improvement, to whom was referred a bill from the House of Representatives, entitled, an act to authorize Thomas Bratcher to raise his mill dam on Caney creek, in Grayson county, reported the same with an amendment, which was concurred in.

Ordered, That said bill be read a third time, as amended.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bill, as amended, do pass, and that the title thereof be as aforesaid.

Mr. James, from the committee on Finance, to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of the Sheriff of Floyd county, reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Leave of absence was granted to Mr. Taylor and to Mr. James until Wednesday next, and to Mr. Thomas until Friday next.

The following bills were reported, to-wit:

By Mr. Hardin, from the committee on the Judiciary—1. A bill for the benefit of Richard E. Neil, and Elizabeth E. Neil his wife.

By Mr. Rice, from the same committee—2. A bill to enlarge the powers of the Trustees of the town of Louisa.

By Mr. Boyd, from the committee on Religion--3. A bill for the benefit of Henry Trunnell.

By Mr. J. Speed Smith, from the committee on Internal Improvement--4. A bill to amend an act, entitled, an act to establish the Fontaine Ferry Turnpike Road Company.

By Mr. James, from the committee on Finance--5. A bill for the benefit of Rebecca Claypool, a lunatic.

By Mr. Walker, from the committee on Propositions and Grievances--6. A bill for the benefit of Mary Terhoun, of Fleming county.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bills being dispensed, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Bradley, from the joint committee on Enrollments, reported that the committee had examined enrolled bills and an enrolled resolution, which originated in the House of Representatives, of the following titles, to-wit:

An act to remove the Seat of Justice of Mason county from the town of Washington to the city of Maysville.

An act for the benefit of Nelson D. Bennett.

An act for the benefit of the Clerk of the Fulton County Court.

An act for the benefit of John S. Bledsoe.

An act to amend the law incorporating the town of Proctor, in the county of Owsley.

An act directing a change of venue to Henry S. Logan and Benjamin Raburn.

An act regulating the jurisdiction of the Police Judge of the town of Shelbyville.

An act to amend the road law of Greenup county.

An act to establish the town of Priceville, in Hart county.

An act for the benefit of William B. Dunlap, of Shelby county.

An act to legalize the laying off and surveying the town of Monterey, and change the place of voting.

A resolution in relation to the establishment of another Lunatic Asylum.

And had found the same truly enrolled.

The said bills and resolution having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approbation and signature. After a short time Mr. Bradley reported that the committee had performed that duty.

Mr. James, from the committee on Finance, reported a bill for the benefit of Conrod Havens.

Mr. J. Speed Smith, from a select committee, reported a bill for the benefit of Hiram Begley, of Perry county.

Which bills were each read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading being dispensed with, said bills were each amended, and ordered to be engrossed and read a third time.

The constitutional rule as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be amended by adding "and for other purposes."

Mr. Crenshaw, from a select committee, reported a bill for the benefit of Jacob Ellington, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading being dispensed with, said bill was referred to the committee on Finance.

Leave was given to bring in the following bills, to-wit:

On the motion of Mr. Marshall—1. A bill to authorize the Justices of the Peace of Green county to sell the old clerk's office.

On the motion of Mr. Fox—2. A bill providing for a change of venue in the prosecution against William Peyton, pending in the Casey Circuit Court.

On the motion of Mr. Boyd—3. A bill to repeal an act concerning slaves, approved February 21st, 1846.

On the motion of Mr. Hawkins—4. A bill for the benefit of Isham G. Hamilton, Clerk of the Boone County Court.

On the motion of Mr. Williams—5. A bill to amend the charter of the Bourbon County Agricultural Society.

On the motion of Mr. Todd—6. A bill for the divorce of Hannah Dolan.

The committee on the Judiciary was directed to prepare and bring in the 1st and 2d; the committee on Finance the 4th; the committee on Religion the 6th; Messrs. Boyd, Williams and McMillan were appointed a committee to prepare and bring in the 3d; and Messrs. Williams, Boyd and Patterson the 5th.

On the motion of Mr. Grey, he was excused from serving as a member of the committee on Banks, and Mr. Slaughter was added to the said committee.

On the motion of Mr. J. Speed Smith,

Resolved, That the committee on the Judiciary be instructed to enquire into the expediency and propriety of amending an act, entitled, an act to produce uniformity of tolls on the turnpike roads in this Commonwealth.

Mr. Draffin read and laid on the table the following joint resolutions, to-wit:

Resolved by the General Assembly of the Commonwealth of Kentucky, That General Zachary Taylor be, and he is hereby nominated as a suitable

person and candidate for the Presidency in the present year, and we recommend him as such to the whole people of the United States.

Resolved further, That we believe if General Taylor is elected President of the United States, that he will administer the government purely, honestly, and with a view to the interest and honor of the whole nation.

On the motion of Mr. J. Speed Smith,

Resolved, That the committee on the Public Library be instructed to enquire into the expediency of purchasing, for the Public Library, — copies of Collins' Historical Sketches of Kentucky.

A message was received from the House of Representatives, by Mr. Hardy, announcing that they had passed a bill, entitled, an act to amend the charter of the Western Baptist Theological Institute, at Covington, Kentucky.

A bill to modify and change the law of 1833, prohibiting the importation of slaves into this State, came up in the orders of the day.

The said bill reads as follows, to-wit:

SEC. 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That from and after the passage of this act, the citizens of this State shall be and they are hereby permitted to import into this State, from any one of the States of this Union, any slave or slaves, for their own use: *Provided*, That the person or persons, so importing said slave or slaves, shall, within sixty days from and after said importation, make oath or affirmation before the Clerk of the County Court where said slave or slaves were imported, that said slave or slaves were imported in good faith, for his, her, or their own private use and benefit, and not as merchandise or for speculation or sale; and shall, also, make out a true and correct list of said slave or slaves, setting forth the age, name, color and sex of said slave or slaves; and shall, also, make an affidavit, and file the same with the Clerk of the County Court, that said list is true and correct, which list and affidavit aforesaid shall be recorded by the Clerk in his office; and the Clerk, for recording the affidavit and list aforesaid, shall receive from the person or persons importing said slave or slaves, the sum of fifty cents for one slave, and ten cents for each additional slave, as a fee therefor.

SEC. 2. *Be it further enacted*, That if any person or persons shall falsely take the oaths prescribed in the first section of this act, shall be deemed guilty of the crime of perjury, and shall, upon conviction, undergo a confinement in the jail and Penitentiary house of this State, for a term not less than one year nor more than five years.

SEC. 3. *Be it further enacted*, That all acts, or parts of acts, coming within the purview of this act, be and the same are hereby repealed.

Mr. Williams moved to amend the said bill by adding thereto the following, as an additional section, to-wit:

Be it further enacted, That if any slave be imported into this Commonwealth for merchandise, it shall be lawful for such slave to institute a suit, in any court of competent jurisdiction, for his or her freedom, and upon a verdict and judgment in favor of such slave, he or she shall be, to all intents and purposes, a free person of color; and said suit may be instituted against any person who shall be his or her owner, whether that person be the im-

porter or not: *Provided*, That, unless said slave, in whose favor such verdict and judgment may be rendered, shall, within twelve months from the rendition thereof, leave the Commonwealth for the Republic of Liberia, he or she shall be liable, upon the presentment of a grand jury, to be arrested by capias from the Circuit Court to whom the presentment is made as if indicted for felony; and, upon the finding of a jury that the presentment is true, the court shall order such slave to be sold by the Sheriff, to the highest bidder, at such time and place as it may deem proper, and the proceeds of sale shall be paid by the Sheriff into the Treasury of this Commonwealth, he to be allowed two per cent. on the amount of sale, to be deducted therefrom as a fee, and the jailer to be allowed fees as in cases of persons confined for felony.

Mr. Hobbs moved an amendment to the said bill.

Mr. Boyd moved the previous question.

And the question being taken, shall the main question be now put? it was decided in the negative.

The yeas and nays being required thereon by Messrs. Fox and Hobbs, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Bradley,	Evans,	Marshall,
Bramlette,	Grey,	McNary,
Brien,	Hambleton,	Thurman,
Draffin,	Heady,	Walker,
English,	James,	Young—15.

Those who voted in the negative, were—

Messrs. Boyd,	Hobbs,	Swope,
Crenshaw,	Holloway,	Thomas,
Fox,	McMillan,	Thornton,
Hardin,	Patterson,	Todd,
Hawkins,	Russell,	Wall,
Helm,	Slaughter,	White,
Henderson,	Speed Smith,	Williams—21.

Mr. Hobbs withdrew his amendment.

The question was then taken on the adoption of the amendment proposed by Mr. Williams, and it was decided in the negative; the Senate being equally divided, the Speaker voted in the negative.

The yeas and nays being required thereon by Messrs. Brien and Hobbs, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Boyd,	Hobbs,	Thomas,
Bramlette,	Holloway,	Thornton,
Crenshaw,	McMillan,	Thurman,
Draffin,	McNary,	Todd,
Fox,	Patterson,	White,
Henderson,	Slaughter,	Williams—18.

Those who voted in the negative, were—

Messrs. Bradley,	Hardin,	Russell,
Brien,	Hawkins,	Speed Smith,
English,	Heady,	Swope,
Evans,	Helm,	Walker,
Grey,	James,	Wall,
Hambleton,	Marshall,	Young—18.

Mr. Hobbs then moved to amend the said bill by adding thereto the following, as an additional section, to-wit:

Be it further enacted, That any negro brought into this State, under the provisions of this act, who may be convicted and executed for felony, shall not be paid for by the Commonwealth.

The question being taken on the adoption of said amendment, it was decided in the negative; the Senate being equally divided, the Speaker voted in the negative.

The yeas and nays being required thereon by Messrs. Patterson and Boyd, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Boyd,	Hobbs,	Thomas,
Bramlette,	Holloway,	Thornton,
Crenshaw,	McMillan,	Thurman,
Fox,	Patterson,	Todd,
Hambleton,	Russell,	Wall,
Henderson,	Slaughter,	Williams—18.

Those who voted in the negative, were—

Messrs. Bradley,	Hardin,	McNary,
Brien,	Hawkins,	Speed Smith,
Draffin,	Heady,	Swope,
English,	Helm,	Walker,
Evans,	James,	White,
Grey,	Marshall,	Young—18.

Mr. Fox then moved to amend said bill by adding the following proviso, which was adopted, to-wit:

Provided, That no slave or slaves imported into this State, under the provisions of this act, shall be sold or transferred within this State, by the person or persons importing the same, for the term of five years after the importation of said slave or slaves.

The question was then taken on engrossing and reading said bill a third time, and it was decided in the negative, and so the said bill was rejected.

The yeas and nays being required thereon by Messrs. Fox and Boyd, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Bradley,	Grey,	Russell,
Bramlette,	Hambleton,	Thurman,

Brien,
Draffin,
English,
Evans,

Heady,
James,
Marshall,
McNary,

Walker,
White,
Young—17.

Those who voted in the negative, were—

Messrs. Boyd,
Crenshaw,
Fox,
Hardin,
Hawkins,
Helm,
Henderson,

Hobbs,
Holloway,
McMillan,
Patterson,
Slaughter,
Speed Smith,

Swope,
Thomas,
Thornton,
Todd,
Wall,
Williams—19.

And then the Senate adjourned.

MONDAY, JANUARY 24, 1848.

A message was received from the House of Representatives, announcing that they had adopted a preamble and resolutions in relation to General John Caldwell, late Lieutenant Governor of Kentucky.

That they had passed bills of the following titles, to-wit:

1. An act more effectually to suppress gambling.
2. An act for the benefit of Benjamin Berry, Jr., of Union county.
3. An act to amend the road law of the county of Boone.
4. An act for the benefit of the Dover and Minerva Turnpike, and Maysville and Germantown Turnpike.
5. An act to incorporate the Christian Church, at Morganfield.
6. An act to amend an act, entitled, an act to incorporate the town of Lagrange, approved January 23, 1840.
7. An act establishing precincts in Floyd and Rockcastle counties.
8. An act declaring Middle creek, in Floyd county, navigable from its mouth to its first forks, at Spradling's store.
9. An act allowing an additional Constable to the county of Johnson.
10. An act allowing an additional Constable to Bath county.
11. An act allowing an additional Justice of the Peace to the county of Floyd.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading of said bills being dispensed with, the 1st and 5th were referred to the committee on the Judiciary; the 2d, 9th, 10th and 11th to the committee on Propositions and Grievances; the 4th and 8th to the committee on Internal Improvement; the 5th to the committee on Religion; and the 3d and 7th were ordered to be read a third time.

The constitutional rule as to the third reading of the 3d and 7th bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

1. Mr. Marshall presented the remonstrance of John Brockman and others, against the repeal of the law declaring Little Barren river a navigable stream.

2. Mr. J. Speed Smith presented the memorial of Mrs. Jane McKee, widow of Col. William R. McKee, deceased, who was one of the lessees of the Lexington and Ohio Railroad, praying to be released from said contract, and that the State take under its own control the interest of said estate in said road for the unexpired term of said lease.

3. Mr. Hobbs presented the petition of James T. Locknane, of Clarke county, praying for the passage of a law allowing him to import into this State certain slaves without incurring the penalty of the law of 1833, prohibiting the importation of slaves into this State.

4. Mr. Grey presented the remonstrance of sundry citizens of the town of Hopkinsville, against the passage of a law authorizing the trustees of said town to subscribe for stock in the Hopkinsville and Cumberland River Railroad.

5. Mr. Grey also presented the remonstrance of sundry citizens of the town of Paducah, against the passage of a law authorizing the President and Board of Trustees of said town to condemn certain town lots for public purposes.

6. Mr. Brien presented the petition of Sarah Jane Acuff, of Calloway county, praying for the passage of a law divorcing her from her husband, Joseph Acuff.

Which petitions and remonstrances were severally received and referred—(the 2d being read,) the 1st and 4th to the committee on Internal Improvement; the 2d and 5th to the committee on the Judiciary; the 3d to the committee on Propositions and Grievances; and the 6th to the committee on Religion.

The following bills were reported, to-wit:

By Mr. J. Speed Smith, from the committee on Internal Improvement—1. A bill appropriating the proceeds of the sales of vacant lands in Nicholas county to the purpose of Internal Improvement within said county.

By same—2. A bill to incorporate the Frankfort and Lawrenceburg Turnpike Road Company.

By Mr. Boyd, from a select committee—3. A bill to repeal an act concerning slaves, approved 21st February, 1846.

By Mr. Hardin, from the committee on the Judiciary—4. A bill to amend the act incorporating the town of Greensburg.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading of said bills being dispensed with, the 2d was placed in the orders of the day; the 3d was referred to the committee on the Judiciary; and the 1st and 4th were ordered to be engrossed and read a third time.

The constitutional rule as to the third reading of the 1st and 4th bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

On the motion of Mr. Crenshaw, Mr. Grey was added to the committee on the part of the Senate, appointed to visit the Lunatic Asylum.

Mr. Evans read and laid on the table the following resolution, to-wit:

Resolved, That the General Assembly of the Commonwealth of Kentucky will adjourn, *sine die*, on the 12th day of February, 1848.

On the motion of Mr. Draffin,

Resolved, That the committee on Finance be and is hereby instructed to enquire into, and ascertain under what law, (if any,) the 2d Auditor draws his warrant on the Treasury to pay for attendance on the executive offices, and report the result of the investigation to this House.

A message in writing, was received from the Governor, by Mr. Mitchell, Assistant Secretary of State.

The rule of the Senate being dispensed with, the said message was taken up, and read as follows, to-wit:

Gentlemen of the Senate and House of Representatives:

I herewith transmit, for your consideration, a resolution of the General Assembly of the State of Tennessee, together with a letter from the Governor of that State, which were received by me this morning.

WM. OWSLEY.

Resolutions directory to the Governor of Tennessee.

By an act of the General Assembly of Tennessee, passed the 20th of January, 1844, making it the duty of the Governor of Tennessee to appoint two Commissioners, to meet two Commissioners on the part of Kentucky, to run and re-mark the State line between Tennessee and Kentucky. Said Commissioners performed the duty assigned to them, and made their report to the last General Assembly of this State, then in session, which report was read in, but Kentucky has taken no action thereupon. Therefore,

Be it resolved by the General Assembly of the State of Tennessee, That the Governor of Tennessee be requested to correspond with the Governor

of Kentucky, asking action on the part of Kentucky, upon said report, and the communication thereof to the Governor of Tennessee, so that the same may be laid before this General Assembly.

F. BUCHANAN,

Speaker of the House of Representatives.

J. M. ANDERSON,

Speaker of the Senate.

Adopted January 11th, 1848.

STATE DEPARTMENT,

Nashville, January 20th, 1848.

I, William B. A. Ranney, Secretary of State for the State of Tennessee, do hereby certify the foregoing to be a full and true copy of a resolution adopted by the General Assembly of said State, as appears from the original now on file in my office.

W. B. A. RANNEY,

Secretary of State.

EXECUTIVE DEPARTMENT,

Nashville, January 20th, 1848.

SIR: I have the honor to enclose to you, the annexed resolution of our present General Assembly, and your earliest attention is respectfully solicited to the subject therein referred to. Our General Assembly will probably close its session by the first of February, and desire the information sought, if possible, before the adjournment.

Very respectfully,

N. S. BROWN.

His Excellency, WILLIAM OWSLEY.

Ordered, That said message and accompanying documents be referred to the committee on Federal Relations.

Leave was given to bring in the following bills, to-wit:

On the motion of Mr. Williams—1. A bill for the benefit of the Trustees of the Jump Common School District, in Bourbon county.

On the motion of Mr. J. Speed Smith—2. A bill to incorporate a Company to construct a Turnpike road from Richmond to Lancaster.

The committee on Education was directed to prepare and bring in the 1st, and the committee on Internal Improvement the 2d.

A bill from the House of Representatives, entitled, an act to amend the charter of the Western Baptist Theological Institute, at Covington, Kentucky, was read the first time.

Ordered, That said bill be read a second time.

The constitutional rule as to the second reading being dispensed with, said bill was referred to the committee on the Judiciary.

The preamble and resolutions from the House of Representatives, in relation to General John Caldwell, late Lieutenant Governor of Kentucky, were taken up and made the special order of the day for to-morrow at 11 o'clock.

An engrossed bill, entitled, an act to amend an act, entitled, an act further to protect the rights of married women, was taken up and referred to the committee on the Judiciary.

An engrossed bill, entitled, an act to incorporate the Lebanon, New Market and Springfield Turnpike Road Company, was read the third time.

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Bradley, from the joint committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, to-wit:

An act to enlarge the Constable's District including the town of Hartford, in Ohio county.

An act to change the name of Thaddeus Franklin to that of Thaddeus Mortimer.

An act for the benefit of Jonathan Pryor.

An act allowing to the county of Letcher an additional Justice of the Peace and Constable, and for other purposes.

An act to incorporate the Trustees of Liberty school house, in Trimble county.

An act for the benefit of Thomas Green, of Christian county.

An act for the benefit of Reese Bourland, of Ballard county.

An act for the benefit of William Fortson.

An act for the benefit of William Andrews, of Monroe county.

An act to extend Canal street, in the town of Harrodsburg.

An act for the benefit of Major General Robert Martin.

An act for the benefit of Elizabeth Huffaker.

An act to divorce William Wilkinson from his wife, Juliana Wilkinson.

And had found the same truly enrolled.

The said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approbation and signature. After a short time Mr. Bradley reported that the committee had performed that duty.

A bill to prevent the sale of spirituous liquors on the Sabbath day, and for other purposes, was taken up.

The said bill was amended to read as follows, to-wit:

SEC. 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That no tavern keeper, grocery keeper, or coffee house keeper, or any other person in this Commonwealth, shall be permitted to sell, give, or suffer to be drank about their house or houses, on the Sabbath day, except it be to the members and inmates of their own families, any wine, brandy, rum, gin or whisky, or any other ardent or spirituous liquors whatever, under the penalty of five dollars for every violation of this act; and

every sale, barter or gift, on the same day, shall be deemed a separate offence; which penalty, with costs, may be recovered before a Justice of the Peace, by warrant, or on presentment of a Grand Jury.

SEC. 2. *Be it further enacted*, That it shall be the duty of all Justices of the Peace in this Commonwealth, where they shall know of a violation of this act, to issue a warrant against such offender or offenders, directed to any Constable of the county where the offender resides; and when said warrant shall be returned executed, in part or in full, the Justice shall proceed to hear and determine said cause; and if, upon hearing, the defendant or defendants shall be adjudged guilty, he or they shall make his or their fine to the Commonwealth, as in the first section prescribed, which fine shall be collected and accounted for as other fines.

SEC. 3. *Be it further enacted*, That, upon any person giving information of a violation of this act, to any Justice of the Peace, said Justice shall issue his warrant against said offender or offenders, directed to any Constable of the county in which the offence was committed; and upon said warrant being returned executed, in full or in part, the Justice may proceed to hear the cause; and upon the defendant's being found guilty, the fine shall be applied as directed in the second section.

SEC. 4. *Be it further enacted*, That it shall be the duty of the several County Attorneys, whenever they are informed of a violation of this act by any person having a license from the County Court to keep a tavern, coffee-house or grocery, to make application to said court for a rule against said offender or offenders, to show cause why their license shall not be suspended; which rule the court shall grant; and upon said rule being executed, the Court shall hear the cause; and if, upon hearing, the Court is satisfied that the defendant or defendants are guilty of a violation of this act, said Court shall make an order suspending said license, and also, render a judgment against him or them for costs of said motion: *Provided, however*, That the party or parties, if they see proper, may appeal to the next Circuit Court from any order of the County Court suspending their license, under the same regulations that govern cases in contested wills, but said appeal shall not operate to release the party or parties from the force of the order made by the County Court, during the pendency of said appeal; and any person or persons found selling any ardent or spirituous liquors, after an order made as above, suspending his or their license, shall be held and deemed guilty of keeping a tipling house: *Provided*, That the first section of this act shall only be construed to embrace those individuals who are in the habit of selling, or permitting to be sold for their benefit, any ardent or spirituous liquors.

SEC. 5. *Be it further enacted*, That all acts, or parts of act, which permit merchants and retailers of dry goods to sell ardent or spirituous liquors by the quart, be and the same are hereby repealed.

SEC. 6. *Be it further enacted*, That all the Judges in this Commonwealth, having and empanneling Grand Juries in their said courts, shall give this act in charge to each Grand Jury; and proceedings, for the violation of any of the provisions of this act, may be had and prosecuted at any time within one year after the commission of said offence, and not afterwards.

Mr. J. Speed Smith moved further to amend the said bill by adding thereto the following section, to-wit:

SEC. 7. *Be it further enacted*, That no debt created by the sale of spirituous or fermented liquors, by retail, shall be recoverable by law.

The question being taken on the adoption of said amendment, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Draffin and Walker, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Boyd,	Heady,	Russell,
Bramlette,	Hobbs,	Speed Smith,
Crenshaw,	Holloway,	Thornton,
English,	McMillan,	Walker,
Hardin,	McNary,	Williams—17.
Hawkins,	Rice,	

Those who voted in the negative, were—

Messrs. Bradley,	Grey,	Swope,
Brien,	Hambleton,	Wall,
Draffin,	Marshall,	White,
Evans,	Patterson,	Young—12.

Mr. J. Speed Smith moved further to amend said bill by striking out the 1st, 2d, 3d, 4th, 5th and 6th sections thereof.

The question being taken thereon, it was decided in the affirmative; the Senate being equally divided, the Speaker voted in the affirmative.

The yeas and nays being required thereon by Messrs. Patterson and Draffin, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Bradley,	Holloway,	Thornton,
Bramlette,	McNary,	Thurman,
Crenshaw,	Russell,	Walker,
Heady,	Speed Smith,	White—13.
Hobbs,		

Those who voted in the negative, were—

Messrs. Boyd,	Hardin,	Swope,
Draffin,	Hawkins,	Wall,
English,	Patterson,	Williams,
Evans,	Rice,	Young—13.
Hambleton,		

And then the Senate adjourned.

TUESDAY, JANUARY 25, 1848.

A message was received from the House of Representatives, announcing that they had concurred in the amendments proposed by the Senate, to bills from that House, of the following titles, to-wit:

An act for the benefit of James S. Smallwood.

An act for the benefit of Thomas St. Clair Lowe and George Wilson Jones.

An act for the benefit of James Hambel, and for other purposes.

An act to authorize Thomas Bratcher to raise his mill dam on Caney Creek, in Grayson county.

An act authorizing the Court of Assessment for the 106th Regiment of Kentucky Militia, to hold the court on the first Monday in April.

An act to amend the act to establish a Female Academy in the town of Harrodsburg, approved 9th February, 1829.

An act to incorporate the Muddy River Navigation and Manufacturing Company.

An act to change the names of certain persons, and for other purposes.

An act for the benefit of Benjamin Franklin Violet.

An act for the benefit of Mary D. Mosby.

That they had passed bills from the Senate, of the following titles, to-wit:

An act to amend the charter of the Covington and Lexington Turnpike Road Company.

An act to amend an act, entitled, an act to incorporate the Dry Run and Covington Turnpike Road Company.

An act to establish an additional election precinct in Caldwell county.

An act for the benefit of Moses Kirkpatrick, of Monroe county.

An act for the benefit of Mary Terhoun, of Fleming county.

An act to allow an additional Constable to Larue county.

An act extending the limits of the town of Pleasureville, in Henry county.

That they had concurred in the adoption of a resolution from the Senate concerning the Lexington and Ohio Railroad.

That they had passed bills of the following titles, to-wit:

An act to incorporate the Flemingsburg and Poplar Plains Turnpike Road Company.

An act to amend the charters of the Louisville Turnpike Company, and the Shelbyville Turnpike Road Company.

An act for the benefit of William P. Ligon.

An act to change a part of the State road in Marshall county between Gray's ferry and Paducah.

An act to amend an act, entitled, an act to incorporate the Boone Turnpike Road Company.

An act to incorporate the Paris, Winchester and Kentucky River Turnpike Road Company, and the North Middletown Turnpike Road Company.

1. Mr. Hawkins presented the petition of Joseph C. Harrison and wife and children, of Boone county, praying for the passage of a law authorizing the sale of a tract of land purchased of E. S. Clarkson by the said J. C. Harrison, and the proceeds vested in some other way for the benefit of said children.

2. Mr. Hobbs presented the remonstrance of sundry citizens of the city of Louisville, against the passage of a law to incorporate another medical school in said city.

Which petition and remonstrance were received and referred—the 1st to the committee on the Judiciary, and the 2d to the committee on Education.

Preamble and resolutions from the House of Representatives, in relation to General John Caldwell, late Lieutenant Governor of Kentucky, were taken up, the further consideration thereof was postponed, and they were made the special order of the day for Saturday next, at 11 o'clock.

Mr. Hardin, from the committee on the Judiciary, reported a bill to amend the several acts incorporating the town of Paducah, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading being dispensed with, said bill was ordered to be engrossed and read a third time.

Mr. Hardin, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act more effectually to suppress gambling, reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional rule as to the third reading being dispensed with,

The question was taken on the passage of the said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Thurman and Hardin, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Boyd,	Hardin,	Russell,
Bradley,	Hawkins,	Speed Smith,
Bramlette,	Heady,	Swope,
Crenshaw,	Hobbs,	Thornton,
Draffin,	Holloway,	Walker,
English,	McNary,	Wall,
Evans,	Patterson,	Williams,
Hambleton,	Rice,	Young—24.

Those who voted in the negative, were—
Messrs. Thurman, White—2.

Resolved, That the title of said bill be as aforesaid.

Mr. Hardin, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act to amend the charter of the Western Baptist Theological Institute, at Covington, Kentucky, reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Hardin, from the same committee, to whom was referred bills from the House of Representatives, of the following titles, to-wit:

An act to incorporate the Stickney Mining Company, of Crittenden county.

An act to incorporate the Columbian Mining Company, of Crittenden county.

An act for the benefit of Samuel Jarvis.

Reported the same with amendments to each, which were concurred in.

Ordered, That said bills be read a third time, as amended.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bills, as amended, do pass, and that the titles thereof be as aforesaid.

Mr. Walker, from the committee on Propositions and Grievances, to whom was referred bills from the House of Representatives, of the following titles, to-wit:

An act allowing an additional Justice of the Peace to the county of Floyd.

An act allowing an additional Constable to Bath county.

An act allowing an additional Constable to the county of Johnson.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The constitutional rule as to third reading being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The following bills were reported, to-wit:

By Mr. Draffin, from the committee on Religion—A bill divorcing Mary Fenley, of Shelby county.

By Mr. J. Speed Smith, from the committee on Internal Improvement—A bill repealing all laws declaring Bull Skin, in Clay county, a navigable stream.

By same—A bill to change in part the old State road from Owingsville to Big Sandy.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bills being dispensed, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A message in writing, was received from the Governor, by Mr. Mitchell, Assistant Secretary of State.

The rule of the Senate being dispensed with, the said message was taken up, and read as follows, to-wit :

Gentlemen of the Senate :

I nominate for your advice and consent, John Milton to be Notary Public of Jefferson county.

Thomas S. Harlow to be Commissioner of Deeds, &c., for Kentucky, in the State of Massachusetts.

WM. OWSLEY.

Resolved, That the Senate advise and consent to the said appointments.

Mr. J. Speed Smith, from the committee on Internal Improvement, to whom was referred bills from the House of Representatives, of the following titles, to-wit :

An act declaring Middle creek, in Floyd county, navigable from its mouth to its first forks, at Spradling's store.

An act for the benefit of the Dover and Minerva Turnpike, and Maysville and Germantown Turnpike.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

On the motion of Mr. Hobbs, leave was given to bring in a bill to incorporate the Board of Publication of the Cumberland Presbyterian Church, and the committee on Education was directed to prepare and bring in said bill.

Mr. English moved the following preamble and resolution, to-wit :

Whereas, the Senate, on the 7th day of January, 1848, adopted a resolution tendering the thanks of the Senate to the Society of Friends, in the city of Philadelphia, for their donation of a copy of *Dymond on War* to each member: and whereas, the said resolution was adopted before the Senate had examined said work: and whereas, the said work contains, in our judgment, doctrines so anti-republican in their tendencies, and if adhered to by the people of the United States, would render us, in the estimation of all nations, an imbecile republic, and a people incompetent justly to appreciate, or honorably to defend our country against the injuries or insults of other nations, and cannot therefore merit the sanction or approval of this body. Therefore,

Be it resolved by the Senate, That the said resolution of thanks be, and the same is hereby rescinded and erased from the Journal of the Senate.

The hour of 12 o'clock having arrived, the Senate proceeded to the consideration of the orders of the day.

The Senate resumed the consideration of the unfinished order of yesterday, being a bill to prevent the sale of spirituous liquors on the Sabbath day, and for other purposes.

Mr. Wall moved an amendment to the said bill.

And on motion of Mr. Patterson, the said bill and amendment were laid on the table.

Mr. Bradley, from the joint committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, to-wit:

An act for the benefit of the children of Thomas D. Helm, deceased.

An act to equalize the compensation for the collection of the revenue tax.

An act to allow an additional Constable to Larue county.

An act authorizing the Secretary of State to furnish the State of Florida with certain reports of the Appellate Court.

An act to incorporate the Book Concern of the Methodist Episcopal Church South.

An act extending the limits of the town of Pleasureville, in Henry county.

An act for the benefit of Patrick Hickman.

An act for the benefit of the heirs of David Mize, deceased.

An act to incorporate the Richmond Cemetery Company.

And enrolled bills which originated in the House of Representatives, of the following titles, to-wit:

An act to incorporate the town of Clifton, in Woodford county.

An act for the benefit of Thomas H. Hord and wife.

An act to change the time of holding the Hancock Circuit Court, and to limit the terms of the Breckinridge Circuit Court.

An act for the benefit of Maria M. Gillis, and for other purposes.

An act to divorce Elvina House, and for other purposes.

An act for the benefit of Nathan B. Chism.

An act to enlarge the Constable's District including the town of London.

An act for the benefit of George Martin, of Greenup county.

An act for the benefit of the Sheriff of Floyd county.

An act for the benefit of Achille Dubourg.

And had found the same truly enrolled.

The said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approbation and signature. After a short time Mr. Bradley reported that the committee had performed that duty.

On the motion of Mr. Draffin, the committee of the Whole was discharged from the further consideration of a bill to connect the Kentucky River Navigation with the Louisville and Crab Orchard Turnpike Road, in Mercer county.

The said bill was amended.

Mr. Wall moved an amendment to the said bill.

And the further consideration of said bill and amendment was postponed, and it was made the special order of the day for Wednesday, the 2d of February next.

A bill from the House of Representatives, entitled, an act to amend the several acts to suppress dueling, was taken up.

The vote ordering said bill to a third reading was reconsidered, and said bill was amended.

Ordered, That said bill be read a third time, as amended.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bill, as amended, do pass, and that the title thereof be as aforesaid.

A resolution fixing a day for the final adjournment of the General Assembly, read and laid on the table by Mr. Evans, on yesterday, was taken up.

And then the Senate adjourned.

WEDNESDAY, JANUARY 26, 1848.

A message was received from the House of Representatives, announcing that they had received official information that the Governor had approved and signed enrolled bills and a resolution, which originated in that House, of the following titles, viz:

An act for the benefit of William B. Dunlap, of Shelby county.

An act to establish the town of Priceville, in Hart county.

An act to legalize the laying off and surveying the town of Monterey, and change the place of voting.

An act regulating the jurisdiction of the Police Judge of the town of Shelbyville.

An act directing a change of venue to Henry S. Logan and Benjamin Raburn.

An act to amend the law incorporating the town of Proctor, in the county of Owsley.

An act to amend the road law of Greenup county.

An act to remove the Seat of Justice of Mason county from the town of Washington to the city of Maysville.

An act for the benefit of John S. Bledsoe.

An act for the benefit of the Clerk of the Fulton County Court.

A resolution in relation to the establishment of another Lunatic Asylum.

An act for the benefit of Nelson D. Bennett.

Approved January 22, 1848.

An act for the benefit of Elizabeth Huffaker.

An act to divorce William Wilkinson from his wife, Juliana Wilkinson.

An act for the benefit of Major General Robert Martin.

An act to extend Canal street, in the town of Harrodsburg.

An act for the benefit of William Andrews, of Monroe county.

An act for the benefit of Thomas Green, of Christian county.

An act to incorporate the Trustees of Liberty school house, in Trimble county.

An act for the benefit of Reese Bourland, of Ballard county.

An act for the benefit of William Fortson.

An act allowing to the county of Letcher an additional Justice of the Peace and Constable, and for other purposes.

An act for the benefit of Jonathan Pryor.

An act to enlarge the Constable's District including the town of Hartford, in Ohio county.

An act to change the name of Thaddeus Franklin to that of Thaddeus Mortimer.

Approved January 24, 1848.

That they had passed bills of the following titles, to-wit:

An act to incorporate the Cove Spring Academy, in the county of Boyle.

An act to incorporate the Lexington Female Institute.

An act to change the time of holding the Clay Circuit Court, and for other purposes.

1. Mr. Patterson presented the petition of Joseph Barbour, who was contractor for the building of Lock and Dam, No. 1, on the Kentucky, praying for the passage of a law to reimburse him for losses sustained by reason of the non-compliance of the State on her part, with said contract.

2. Mr. Wall presented the petition of Joseph L. Craft, praying for the passage of a law divorcing him from his wife, Hannah Craft.

3. Mr. Thurman presented the petition of a committee on behalf of Lebanon Lodge, No. 87, of Free and Accepted Masons, praying for the passage of a law incorporating said Lodge.

4. Mr. Patterson presented the petition of sundry citizens of the town of Princeton, praying for the passage of a law compelling the Trustees of said town to make certain improvements in the public streets of said town.

5. Mr. Rice presented the petition of sundry citizens of Lawrence county, praying for the passage of a law to permit Harry, a free man of colour, and who is a minister of the gospel, who emigrated from Virginia, to locate himself in said county.

Which petitions were severally received and referred—the 1st to the committee on Internal Improvement; the 2d to the committee on Religion; the 3d and 4th to the committee on the Judiciary; and the 5th to the committee on Propositions and Grievances.

A message in writing, was received from the Governor, by Mr. Mitchell, Assistant Secretary of State.

The rule of the Senate being dispensed with, the said message was taken up, and read as follows, to-wit:

Gentlemen of the Senate:

I nominate for your advice and consent, Merida Price to be Colonel; Henry C. Wood, Lieut. Colonel, and Kendrick Jameson, Major of 140th Regiment, Kentucky Militia—being a new regiment formed in the county of Hart.

WM. OWSLEY.

Resolved, That the Senate advise and consent to the said appointments.

Mr. Hardin, from the committee on the Judiciary, to whom was referred an engrossed bill, entitled, an act to amend an act, entitled, an act further to protect the rights of married women, reported the same with an amendment, which was concurred in.

Ordered, That said bill be re-engrossed and read a third time.

The constitutional rule as to the third reading of the said bill being dispensed with, and the same being re-engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Hardin, from the same committee, reported a bill to amend the laws concerning the town of Frankfort, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Hardin, from the same committee, to whom was referred bills from the House of Representatives of the following titles, to-wit:

An act to amend the charter of the city of Maysville, and for other purposes.

An act relinquishing the title of the Commonwealth to certain real estate to trustees, for school purposes.

An act to amend an act, entitled, an act to incorporate the town of Lagrange, approved January 23, 1840.

An act for the benefit of John H. Boarman.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Patterson, from the same committee, reported a bill for the benefit of the infant heirs of Augustus F. Jacob, of Caldwell county, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Walker, from the committee on Propositions and Grievances, reported a bill for the benefit of the Clerks of Simpson and Clarke County Courts, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. J. Speed Smith, from the committee on Internal Improvement, reported a bill to incorporate the Lexington and Frankfort Railroad Company, which was read the first time, and ordered to be read a second time.

The constitutional rule as to second reading of said bill was dispensed with,

Ordered, That the Public Printer print 150 copies of the said bill, for the use of the General Assembly.

And then the Senate adjourned.

THURSDAY, JANUARY 27, 1848.

A message was received from the House of Representatives, announcing that they had concurred in the adoption of a resolution from the Senate, fixing a day for the election of Public Officers, with an amendment.

That they had passed a bill from the Senate, entitled, an act for the benefit of Samuel Hogan, of Green county.

That they had passed bills of the following titles, to-wit:

An act, entitled, an act to amend an act to prevent the wanton destruction fish.

An act to establish an additional election precinct, in Wayne county.

An act for the benefit of Harvard University.

An act to incorporate the Lexington Cemetery.

An act to change the place of voting in an election precinct in the county of Henderson.

An act to allow an additional Justice of the Peace to the county of Fleming.

An act to run and establish the line between the counties of Livingston and Crittenden, and for other purposes.

An act to change the place of voting in the Christiansburg precinct, in Shelby county.

An act to establish election precincts in the county of Marion.

An act for the benefit of Shackelford & Pullen.

An act for the benefit of M. R. Stealey, late architect of the Penitentiary buildings.

Mr. McMillan presented the petition of the Trustees of Mt. Vernon District School, in Nicholas county, praying for the passage of a law authorizing them to draw their proportion of the Common School Fund, for the year 1845.

Which was received and referred to the committee on Education.

The following bills were reported, to-wit:

By Mr. Hardin, from the committee on the Judiciary—A bill to provide for a change of venue in the prosecution against Francis M. Ewing.

By same—A bill to protect parents and guardians.

By Mr. Patterson, from the same committee—A bill to enlarge the powers of the Trustees of the town of Princeton, and for other purposes.

By Mr. Crenshaw, from the same committee—A bill concerning guardians.

By Mr. Walker, from the committee on Propositions and Grievances—A bill granting certain powers to the Trustees of the town of Russellville.

By Mr. Boyd, from the committee on Religion—A bill to divorce Mary Howard, of Harlan county.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bills being dispensed, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A message was received from the House of Representatives, by Mr. Wintersmith, Mr. Pratt and Mr. Smith:

Mr. Speaker: It has been announced to the House of Representatives, that the Flag of the 2d Regiment of Kentucky Volunteer Infantry, under

which they fought and conquered, at the battle of Buena Vista, will be presented to the General Assembly of the Commonwealth of Kentucky, in the Hall of Representatives, on this day, at 12 o'clock. We have been deputed a committee to wait upon the Senate and to invite them to participate in the ceremony of presentation.

On the motion of Mr. J. Speed Smith,

Resolved, unanimously, That the Senate accept the invitation of the House of Representatives, and will be present and unite with the House in receiving the Flag of the 2d Regiment of Kentucky Volunteer Infantry, at 12 o'clock, M., this day.

Ordered, That Mr. J. Speed Smith inform the House of Representatives thereof.

Mr. Boyd, from the committee on Religion, to whom was referred bills from the House of Representatives, of the following titles, to-wit:

An act to incorporate the Christian Church, at Morganfield.

An act to divorce Susan F. Norrell, and for other purposes.

An act for the benefit of Rebecca Shields.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The constitutional rule as to third reading being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A message was received from the Governor, by Mr. Reed, Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles viz:

An act for the benefit of the heirs of David Mize, deceased.

An act for the benefit of Patrick Hickman.

An act to incorporate the Richmond Cemetery Company.

An act to allow an additional Constable to Larue county.

An act to equalize the compensation for the collection of the revenue tax.

An act authorizing the Secretary of State to furnish the State of Florida with certain reports of the Appellate Court.

An act for the benefit of the children of Thomas D. Helm, deceased.

An act extending the limits of the town of Pleasureville, in Henry county.

An act to incorporate the Book Concern of the Methodist Episcopal Church South.

Approved January 25, 1848.

Mr. J. Speed Smith, from the committee on Internal Improvement, reported a bill appropriating one thousand dollars to improve the navigation of the South fork of the Kentucky river, at and near the Narrows, which was read the first time, as follows, to-wit:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That one thousand dollars be, and are hereby appropriated, to improve the navigation of the South Fork of the Kentucky river, at and near the

Narrows, in said stream; said sum to be expended under the direction of the Board of Internal Improvement, and to be paid out of any money in the Treasury not otherwise appropriated.

Ordered, That said bill be read a second time.

The constitutional rule as to the second reading being dispensed with, Mr. Walker moved to amend said bill by striking out the words one thousand, printed in italics, and inserting, in lieu thereof, *six hundred*.

Mr. Heady moved to lay the said bill and amendment on the table.

The question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Heady and J. Speed Smith, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Boyd,	Hawkins,	McMillan,
Bradley,	Heady,	McNary,
Bramlette,	Holloway,	Rice,
English,	James,	Wall,
Hambleton,	Marshall,	Young—16.
Hardin,		

Those who voted in the negative, were—

Messrs. Crenshaw,	Russell,	Thurman,
Draffin,	Speed Smith,	Todd,
Evans,	Swope,	Walker,
Grey,	Taylor,	White,
Patterson,	Thornton,	Williams—15.

Leave was given to bring in the following bills, to-wit:

On the motion of Mr. J. Speed Smith—1. A bill to incorporate the New Orleans and Ohio Telegraph Company.

On the motion of Mr. Draffin—2. A bill to authorize the construction of a road from the present Franklin and Crab Orchard Turnpike, from or near Salvisa, to Oregon, in the county of Mercer.

On the motion of Mr. McMillan—3. A bill for the benefit of the heirs at law of Elizabeth Taylor, deceased, and others.

The committee on Internal Improvement was directed to prepare and bring in the 1st and 2d; and the committee on the Judiciary the 3d.

Mr. Taylor, from the joint committee on the Library, made the following report, to-wit:

The joint committee on the Library, to whom was referred a resolution of Senate, instructing them to enquire into the expediency of purchasing, for the Public Library, — copies of "Collins' Historical Sketches of Kentucky," have had the same under consideration, and beg leave to report the following resolution:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Public Librarian be instructed to purchase twenty copies of Collins' Historical Sketches of Kentucky, for the use of the Library, and that

the 2d Auditor draw an order on the public Treasury, in favor of said Librarian, for an amount sufficient to pay for the same.

And then the Senate adjourned.

FRIDAY, JANUARY 28, 1848.

A message was received from the House of Representatives, announcing that they had received official information that the Governor had approved and signed enrolled bills, which originated in that House, of the following titles, to-wit:

An act for the benefit of Achille Dubourg.

An act for the benefit of the Sheriff of Floyd county.

An act for the benefit of George Martin, of Greenup county.

An act to enlarge the Constable's District including the town of London.

An act for the benefit of Thomas H. Hord and wife.

An act to incorporate the town of Clifton, in Woodford county.

An act for the benefit of Nathan B. Chism.

An act to divorce Elvina House, and for other purposes.

An act for the benefit of Maria M. Gillis, and for other purposes.

An act to change the time of holding the Hancock Circuit Court, and to limit the terms of the Breckinridge Circuit Court.

Approved January 25, 1848.

That they had passed bills from the Senate, of the following titles, to-wit:

An act for the benefit of the children of William Arnette, and others.

An act for the benefit of Joseph Hinkle, of Muhlenburg county.

An act authorizing certain deed books of the Logan County Court to be transcribed.

An act to incorporate the Trustees of the Bethlehem Cumberland Presbyterian Church, in Caldwell county.

An act for the benefit of George T. Edwards, of Logan county.

An act for the benefit of the widow and heirs of Samuel W. Bryce, deceased.

An act regulating the taxation of costs in suits brought by administrators and executors.

An act to amend the charter of the town of Paducah, and for other purposes.

An act for the benefit of Pleasant H. Williams, of Clinton county.

An act to amend the act to incorporate the Paris Cemetery Company.

An act for the benefit of Richard Neil, and Elizabeth E. Neil, his wife.

That they had passed bills of the following titles, to-wit:

1. An act for the benefit of the Clerk of the Campbell Circuit Court.

2. An act for the benefit of the Church of Christ, on Chinoweth's Run, in Jefferson county.

3. An act for the benefit of the Sheriffs of Nicholas, Barren, Floyd and Boone counties.

4. An act for the benefit of James G. Edens.

5. An act for the benefit of John Thornhill, Betsey Thornhill, Priscilla Thornhill and Mahala Thornhill.

6. An act for the benefit of Mary Jane Eals, an idiot.

7. An act for the benefit of W. B. Price, and others.

8. An act for the benefit of Joseph Decre.

9. An act for the benefit of the widow and heirs of William Peters.

10. An act to amend the charter of the Licking Bridge Company.

11. An act to incorporate the Trustees and Stockholders of the Doane and Gracy Fund, in the city of Covington.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading of said bills being dispensed with, they were referred—the 1st, 3d, 4th and 6th to the committee on Finance; the 2d to the committee on Religion; the 5th, 7th, 9th, 10th and 11th to the committee on the Judiciary; and the 8th to the committee on Propositions and Grievances.

1. Mr. Walker presented the petition of Charlotte Joyner, widow and administratrix of Jeremiah Joyner, deceased, of Logan county, praying for the passage of a law authorizing the sale of a portion of the land left by the decedent, to pay the debts of said estate.

2. Mr. Evans presented the petition of the President and Directors of the Turnpike road leading from Bell's to Bowlinggreen, praying for the passage of a law to reduce the number of Directors in said road; and also, praying for a charter to connect the road, leading from Bell's to Elizabethtown, with the Bardstown and Glasgow Turnpike road.

3. Mr. Hobbs presented the petition of Abraham Hite, guardian for Sarah E. Snead, an infant, praying for the passage of a law authorizing the sale of certain real estate belonging to said Sarah, in the city of Louisville.

4. Mr. Hobbs also presented the petition of William Hart, of Jefferson county, praying for the passage of a law authorizing him to peddle goods without obtaining a license.

5. Mr. Hobbs also presented the petition of sundry citizens of the city of Louisville, praying for the passage of a law to establish another medical school in said city; also, the remonstrance of sundry citizens of said city, against the establishment of said school.

6. Mr. Wall presented the memorial of Alexander Rutler, and others, on behalf of the Harrison County Court, praying for the passage of a law permitting said County Court to build a suitable jail for said county, without being governed by the laws now in force in erecting public buildings.

Which petitions were severally received and referred—the 1st, 3d and 6th to the committee on the Judiciary; the 2d to the committee on Internal Improvement; the 4th to the committee on Finance; and the 5th to the committee on Education.

Mr. Hobbs presented to the annual report of the Board of Visitors of the Kentucky Institution for the Education of the Blind, which is as follows, to-wit:

[For Report—see *Legislative Documents*.]

Ordered, That said report be referred to the committee on Education, and that the Public Printer print 150 copies thereof for the use of the General Assembly, and also 1000 additional copies thereof for the use of said school.

Mr. Walker, from the committee on Propositions and Grievances, to whom was referred a bill from the House of Representatives, entitled, an act for the relief of George M. Green, reported the same without amendment.

The question being taken on reading the said bill a third time, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Heady and Patterson, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Bradley,	Hawkins,	Taylor,
Bramlette,	Helm,	Thornton,
Crenshaw,	Holloway,	Thurman,
Draffin,	James,	Todd,
English,	Marshall,	Walker,
Evans,	Patterson,	White,
Grey,	Rice,	Young—22.
Hambleton,		

Those who voted in the negative, were—

Messrs. Boyd,	McMillan,	Swope,
Fox,	McNary,	Wall—8.
Heady,	Slaughter,	

The constitutional rule as to the third reading being dispensed with, The question was taken on the passage of the said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Heady and Walker, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Bradley,	Hawkins,	Taylor,
Bramlette,	Helm,	Thornton,
Crenshaw,	Holloway,	Thurman,
English,	James,	Todd,
Evans,	Marshall,	Walker,
Grey,	Patterson,	White,
Hambleton,	Rice,	Young—21.

Those who voted in the negative, were—

Messrs. Boyd,	McMillan,	Swope,
Fox,	McNary,	Wall—8.
Heady,	Slaughter,	

Resolved, That the title of said bill be as aforesaid.

Mr. Walker, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of Benjamin Berry, Jr., of Union county, reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional rule as to the third reading being dispensed with,

The question was taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Wall and Walker, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Bradley,	Hambleton,	Speed Smith,
Bramlette,	Hawkins,	Taylor,
Crenshaw,	Holloway,	Thornton,
Draffin,	James,	Thurman,
English,	Marshall,	Todd,
Evans,	Patterson,	Walker,
Fox,	Rice,	White,
Grey,	Slaughter,	Young—24.

Those who voted in the negative, were—

Messrs. Boyd,	McMillan,	Swope,
Heady,	McNary,	Wall—6.

Resolved, That the title of the said bill be as aforesaid.

Mr. Walker, from the same committee, reported a bill for the benefit of James T. Locknane, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Boyd, from the committee on Religion, reported the following bills, to-wit:

A bill for the benefit of the Walnut Hill Church, in Fayette county.

A bill to divorce Joseph L. Craft from his wife, Hannah Craft, of Boone county.

Which bills were each read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bills being dispensed, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Grey, from the committee on Internal Improvement, reported the following bills, to-wit:

1. A bill to extend the Franklin and Crab Orchard turnpike road to Oregon, in Mercer county.

2. A bill to increase the powers of the Trustees of the town of Hopkinsville.

Which bills were each read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading being dispensed with, said bills were ordered to be engrossed and read a third time.

The constitutional rule as to the third reading of the 2d bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. J. Speed Smith, from the same committee, reported the following bills, to-wit:

1. A bill to appropriate the dividends of the Bardstown and Louisville, and the Bardstown and Green river turnpike roads, to the completion of the road between Bardstown and Glasgow.

2. A bill to authorize the construction of Lock and Dam, No. 6, on the Kentucky river.

Which bills were each read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading of said bills being dispensed with, the 1st was ordered to be engrossed and read a third time, and the 2d was made the special order of the day for Tuesday next, the 1st of February.

Ordered, That the Public Printer print 150 copies of the second bill, for the use of the General Assembly.

Mr. Bradley, from the joint committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, to-wit:

An act to amend the road law of the county of Boone.

An act to change the names of certain persons, and for other purposes.

An act for the benefit of Benjamin Franklin Violet, and Wm. Bush, Jr.

An act for the benefit of James S. Smallwood.

An act for the benefit of Mary D. Mosby, and Daniel B. Mosby.

An act for the benefit of Thomas St. Clair Lowe and George Wilson Jones, and Amanda J. Miller.

An act for the benefit of James Hambel, and for other purposes.

An act to authorize Thomas Bratcher to raise his mill dam on Caney Creek, in Grayson county.

An act authorizing the Court of Assessment for the 106th Regiment of Kentucky Militia, to hold the court on the first Monday in April.

An act to amend the act to establish a Female Academy in the town of Harrodsburg, approved 9th February, 1829.

An act to incorporate the Muddy River Navigation and Manufacturing Company.

An act allowing an additional Constable to the county of Johnson.

An act allowing an additional Constable to Bath county.

An act allowing an additional Justice of the Peace to the county of Floyd.

An act for the benefit of the Dover and Minerva Turnpike, and Maysville and Germantown Turnpike.

An act to amend the charter of the Western Baptist Theological Institute at Covington, Kentucky.

An act establishing additional precincts in Floyd and Rockcastle counties.

And had found the same truly enrolled.

The said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approbation and signature. After a short time Mr. Bradley reported that the committee had performed that duty.

Mr. James, from the committee on Finance, to whom was referred bills from the House of Representatives, of the following titles, to-wit:

An act for the benefit of John H. Breeding and wife, and for other purposes.

An act to increase the revenue.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Evans, from the committee on Education, reported a bill to incorporate the Board of Publication of the Cumberland Presbyterian Church, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

On the motion of Mr. Evans, the votes by which a bill from the House of Representatives, entitled, an act to increase the revenue, was passed and ordered to a third reading, were reconsidered, and said bill was re-committed to the committee on Finance.

Leave was given to bring in the following bills, to-wit:

On the motion of Mr. McNary—1. A bill to amend the law concerning the town of Greenville.

On the motion of Mr. Bramlette—2. A bill to amend an act, entitled, an act concerning the town of Albany, in Clinton county, approved 14th February, 1846.

On the motion of Mr. English—3. A bill to change the names, and to legitimate children born out of wedlock.

On the motion of Mr. Hobbs—4. A bill to incorporate the Grand Division of Sons of Temperance of the State of Kentucky.

On the motion of same—5. A bill to provide for the running and marking a part of the line between Jefferson and Shelby counties.

On the motion of same—6. A bill to incorporate the Missionary Society of the Methodist Episcopal Church South.

On the motion of Mr. Helm—7. A bill to incorporate a company to construct a turnpike road from Elizabethtown, to intersect the Bardstown and Green river turnpike road, at or near George Brownfield's.

On the motion of same—8. A bill to incorporate the Elizabethtown Female Academy.

On the motion of Mr. Thornton—9. A bill to extend the limits of the town of Mortonville, Woodford county, and to re-establish a Board of Trustees in said town.

On the motion of Mr. J. Speed Smith—10. A bill to incorporate the Lancaster Cemetery Company.

On the motion of Mr. Todd—11. A bill to incorporate a company to construct a turnpike road from Frankfort to Lexington, on the Cole's road.

On the motion of Mr. Thornton—12. A bill to amend an act, entitled, an act to increase the powers of the Trustees of the town of Versailles, and to establish a Police Court in said town.

Messrs. McNary, Walker and Patterson were appointed a committee to prepare and bring in the 1st; Messrs. Bramlette, Crenshaw and Heady the 2d; Messrs. Hobbs, Russell and J. Speed Smith the 5th; Messrs. Hobbs, Hardin and Crenshaw the 6th; Messrs. Helm, Marshall and Bramlette the 7th; Messrs. Helm, Slaughter and Thurman the 8th; the committee on the Judiciary was directed to prepare and bring in the 3d, 4th, 9th and 12th; and the committee on Internal Improvement the 10th and 11th.

On the motion of Mr. Taylor,

Resolved, That the committee on the Library be instructed to enquire into the propriety of purchasing copies of Durivage's Cyclopedia of History, for the use of the Library.

Mr. Bramlette, from a select committee, reported a bill to amend an act, entitled, an act concerning the town of Albany, in Clinton county, approved 14th February, 1846, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A resolution fixing a day for the election of Public Officers, was taken up, and the amendment proposed thereto, by the House of Representatives, was concurred in.

The resolution from the joint committee on the Library, in relation to the purchase of Collins' Historical Sketches of Kentucky, was taken up.

The said resolution was amended and adopted.

Engrossed bills of the following titles, were severally read the third time, to-wit:

An act to continue in force the 4th and 8th sections of an act, entitled, an act to amend the charter of the Louisville and Elizabethtown Turnpike Company, and Covington and Lexington Turnpike Company.

An act to amend the several act incorporating the town of Paducah.

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the House of Representatives, of the following titles, were severally read the first time, to-wit:

1. An act to incorporate the Flemingsburg and Poplar Plains Turnpike Road Company.

2. An act to amend the charters of the Louisville Turnpike Company, and the Shelbyville Turnpike Road Company.

3. An act for the benefit of William P. Ligon.

4. An act to change a part of the State road in Marshall county between Gray's ferry and Paducah.

5. An act to amend an act, entitled, an act to incorporate the Boone Turnpike Road Company, and for other purposes.
6. An act to incorporate the Paris, Winchester and Kentucky River Turnpike Road Company, and the North Middletown Turnpike Road Company.
7. An act to incorporate the Cove Spring Academy, in the county of Boyle.
8. An act to incorporate the Lexington Female Institute.
9. An act to change the time of holding the Clay Circuit Court, and for other purposes.
10. An act, entitled, an act to amend an act to prevent the wanton destruction fish.
11. An act to establish an additional election precinct, in Wayne county.
12. An act for the benefit of Harvard University.
13. An act to incorporate the Lexington Cemetery.
14. An act to change the place of voting in an election precinct in the county of Henderson.
15. An act to allow an additional Justice of the Peace to the county of Fleming.
16. An act to run and establish the line between the counties of Livingston and Crittenden, and for other purposes.
17. An act to change the place of voting in the Christiansburg precinct, in Shelby county.
18. An act to establish election precincts in the county of Mason.
19. An act for the benefit of Shackleford & Pullen.
20. An act for the benefit of M. R. Stealey, late architect of the Penitentiary buildings.

Ordered, That said bills be read a second time.

The constitutional rule as to second reading of said bills being dispensed with, they were referred—the 1st, 2d, 4th, 5th, 6th, 10th and 13th to the committee on Internal Improvement; the 3d and 19th to the committee on Finance; the 7th, 8th and 12th to the committee on Education; the 9th to the committee on the Judiciary; the 11th, 14th, 17th and 18th to the committee on Privileges and Elections; the 15th and 16th to the committee on Propositions and Grievances; and the 20th to the committee on the Sinking Fund.

On the motion of Mr. Holloway, the vote by which a bill appropriating one thousand dollars to improve the navigation of the South fork of the Kentucky river, at or near the Narrows, was laid on the table, was reconsidered.

And then the Senate adjourned.

SATURDAY, JANUARY 29, 1848.

A message was received from the House of Representatives, announcing that they had passed bills from the Senate, of the following titles, to-wit:

An act providing for a change of venue in the prosecution against Benjamin All.

An act for the benefit of William T. Long, of Clinton county.

An act to incorporate the Cave Hill Cemetery, of Louisville.

That they had adopted a resolution in relation to the annual message of the Governor.

That they had passed bills of the following titles, to-wit:

1. An act to amend an act to regulate the administration and settlement of estates.

2. An act to regulate the duties of Jailers, and for other purposes.

3. An act to incorporate the Master and Wardens of Wingate Lodge, No. 161, at Simpsonville, in Shelby county.

4. An act to incorporate the "The German Roman Catholic Benefit Society, of Covington."

5. An act to amend the laws in regard to the town of Midway.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading of said bills being dispensed with, they were referred to the committee on the Judiciary.

Mr. McMillan presented to the Senate the annual report of the Directors of the Lunatic Asylum, which is as follows, to-wit:

[For Report—see *Legislative Documents*.]

Ordered, That the Public Printer print 500 copies thereof for the use of the General Assembly, and also 500 copies for the use of said Institution.

1. Mr. Hambleton presented the petition of Thomas Scott, guardian of William Scott, an infant, praying for the passage of a law authorizing the sale of a tract of land belonging to said infant.

2. Mr. Hobbs presented the petition of sundry citizens of Jefferson county, praying for the passage of a law to amend the road law of said county.

Which petitions were each received and referred—the 1st to the committee on the Judiciary; and the 2d to the committee on Internal Improvement.

The following bills were reported from the committee on the Judiciary, to-wit:

By Mr. Crenshaw—A bill for the benefit of Polly Garrett.

By same—A bill to extend the jurisdiction of the Police Judge of the town of Hopkinsville.

By Mr. Patterson—A bill for the benefit of the heirs of Sarah Roberts and Pricey Brown, deceased, of Caldwell county.

By same—A bill to extend the limits of the town of Mortonville, in Woodford county, and to re-establish a Board of Trustees in said town.

Which bills were each read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bills being dispensed, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Walker, from the committee on Propositions and Grievances, to whom was referred bills from the House of Representatives, of the following titles, to-wit:

An act to run and establish the line between the counties of Livingston and Crittenden, and for other purposes.

An act for the benefit of Joseph Decre.

Reported the same without amendment.

The said bills were each amended, and ordered to be read a third time.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bills, as amended, do pass, and that the titles thereof be as aforesaid.

A message in writing, was received from the Governor, by Mr. Mitchell, Assistant Secretary of State.

The rule of the Senate being dispensed with, the said message was taken up, and read as follows, to-wit:

Gentlemen of the Senate:

I nominate for your advice and consent, James R. Burns to be Commissioner of Deeds, &c., for Kentucky, in the State of Louisiana.

Henry M. Alexander to be Commissioner of Deeds, &c., for Kentucky, in the State of New York.

WM. OWSLEY.

Resolved, That the Senate advise and consent to the said appointments.

Mr. Boyd, from the committee on Religion, to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of the Church of Christ on Chenowith's Run, in Jefferson county, reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. J. Speed Smith, from the committee on Internal Improvement, reported a bill to incorporate a company to construct a turnpike road from

Frankfort to Lexington, on the Cole's road, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Bradley, from the joint committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, to-wit:

An act for the benefit of Rebecca Shields.

An act to amend the charter of the city of Maysville, and for other purposes.

An act to incorporate the Christian Church, at Morganfield.

An act declaring Middle creek, in Floyd county, navigable from its mouth to its first forks, at Spradling's store.

An act relinquishing the title of the Commonwealth to certain real estate to trustees, for school purposes.

An act more effectually to suppress gambling.

An act for the benefit of John H. Boarman.

And enrolled bills and enrolled resolutions, which originated in the Senate, of the following titles, to-wit:

An act for the benefit of Richard Neil, and Elizabeth E. Neil, his wife.

An act to amend the act to incorporate the Paris Cemetery Company.

An act to amend the charter of the Covington and Lexington Turnpike Road Company.

An act for the benefit of Pleasant H. Williams, of Clinton county.

An act to amend the charter of the town of Paducah, and for other purposes.

An act providing for a change of venue in the prosecution against Benjamin All.

An act authorizing certain deed books of the Logan County Court to be transcribed.

An act for the benefit of Joseph Hinkle, of Muhlenburg county.

An act regulating the taxation of costs in suits brought by administrators and executors.

An act for the benefit of George T. Edwards, of Logan county.

An act for the benefit of Moses Kirkpatrick, of Monroe county.

An act to establish an additional election precinct in Caldwell county.

An act for the benefit of Mary Terhoun, of Fleming county.

An act for the benefit of Samuel Hogan, of Green county.

An act for the benefit of the children of William Arnette, and others.

An act for the benefit of the widow and heirs of Samuel W. Bryce, deceased.

A resolution concerning the Lexington and Ohio Railroad.

A resolution fixing a day for the election of Public Officers.

And had found the same truly enrolled.

The said bills and resolutions having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approbation and signature. After a short time Mr. Bradley reported that the committee had performed that duty.

Leave was given to bring in the following bills, to-wit:

On the motion of Mr. McMillan—1. A bill chartering a company to construct a turnpike road from Washington to Maysville, in Mason county.

On the motion of Mr. Boyd—2. A bill to incorporate the Flemingsburg and Mount Carmel Turnpike Road Company.

On the motion of Mr. Swope—3. A bill for the benefit of the heirs of Hubbard Smith, deceased.

On the motion of Mr. Rice—4. A bill for the benefit of J. P. Richards, of Carter county.

On the motion of Mr. J. Speed Smith—5. A bill to incorporate the Clarke's Run and Salt River Turnpike Company.

The committee on Internal Improvement was directed to prepare and bring in the 1st, 2d and 5th; and the committee on the Judiciary the 3d and 4th.

On the motion of Mr. McNary,

Resolved, That the committee on the Judiciary be instructed to enquire into the propriety of so amending the act to regulate the administration and settlement of estates, approved February 20, 1829, as requires the Master Commissioner to advertise the same; and such other amendments as they may think ought to be made.

Mr. Hobbs, from a select committee, reported the following bills, to-wit:

1. A bill to incorporate the Missionary Society of the Methodist Episcopal Church South.

2. A bill to incorporate the Grand Division of Sons of Temperance of the State of Kentucky.

3. A bill to run and mark a part of the line between Jefferson and Shelby counties.

Which bills were each read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading of said bills being dispensed with, the 1st and 2d were referred to the committee on the Judiciary, and the 3d was ordered to be engrossed and read a third time.

The constitutional rule as to the third reading of the 3d bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Preamble and resolutions from the House of Representatives, in relation to General John Caldwell, late Lieutenant Governor of Kentucky, were taken up, twice read, and concurred.

And then the Senate adjourned.

MONDAY, JANUARY 31, 1848.

A message was received from the House of Representatives, announcing that they had passed bills of the following titles, to-wit:

1. An act authorizing the County Court of Woodford to lay an additional levy on slaves, for the purpose of paying an efficient patroll.
2. An act for the benefit of John B. Embree, of Monroe county.
3. An act to increase the jurisdiction of the Trustees of the town of Carrolton.
4. An act to incorporate the Phi Mu Society, of Shelby College.
5. An act for the benefit of Clement Conner, late Sheriff of Greenup county.
6. An act to incorporate the town of Piketon, in Pike county, and for other purposes.
7. An act for the benefit of the late Sheriff, and his deputies, of Owen county.
8. An act for the benefit of Joseph Riddle, of Cumberland county.
9. An act to incorporate the town of Ringgold, in Pulaski county.
10. An act to legalize the proceedings of the Whitley County Court in relation to the appointment of Jailer.
11. An act to incorporate the Pisgah Church, in the county of Woodford.
12. An act in relation to the vacant lands in Wayne county, and for other purposes.
13. An act to amend the charter of the Paris Fire Company.
14. An act for the benefit of the Taylor Guards, of Mercer county.
15. An act for the benefit of the Sheriffs of Bourbon, Clarke, Lincoln and Fayette counties.
16. An act to enlarge the powers of the Trustees of the town of Uniontown, in Union county.
17. An act to amend an act, entitled, an act to incorporate a College in Union county, styled the Henry Clay Institute, approved February 7, 1845.

18. An act to amend an act, entitled, an act to incorporate the Union White Sulphur Springs Company, approved February 11, 1836.

19. An act to amend an act to enlarge the powers of the Trustees of the town of Morganfield, and for other purposes, approved March 2, 1844.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional rule as to second reading of said bills being dispensed with, they were referred—the 1st, 2d, 6th, 9th, 10th, 12th, 13th and 18th to the committee on the Judiciary; the 4th and 17th to the committee on Education; the 5th, 7th, 8th and 15th to the committee on Finance; the 11th to the committee on Religion; the 14th to the committee on Military Affairs; the 16th to the committee on Propositions and Grievances; and the 3d was ordered to be read a third time.

The constitutional rule as to the third reading of the 3d bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

1. Mr. Walker presented the petition of Julia E. Crowders, widow of John A. Crowders, deceased, praying for the passage of a law authorizing her to remove her dower slaves, in her deceased husband's estate, to Nashville, Tennessee; and also, to authorize the guardians of the infant heirs of said decedent to remove the estate, belonging to said infants, to the State of Tennessee.

2. Mr. James presented the petition of G. W. Aydelott, of Hickman county, praying for the passage of a law divorcing him from his wife, Elizabeth L. Aydelott.

3. Mr. Hawkins presented the petition of William R. Ennis, praying for the passage of a law divorcing him from his wife, Almeda Ennis.

4. Mr. Wall presented the petition of sundry citizens of Harrison county, praying for the passage of a law to authorize Samuel Givens, a Constable of said county, to reside without the limits of his district.

5. Mr. Slaughter presented the petition of Spotswood Wills, of Nelson county, praying for the passage of a law allowing him compensation for services rendered as Treasurer of the Bardstown and Green River Turnpike Road Company.

6. Mr. Hobbs presented the petition of sundry citizens of Louisville, praying for the passage of a law to incorporate the Walnut Street Christian Church, in said city.

7. Mr. Hobbs also presented the remonstrance of sundry citizens of Louisville, against the establishment of a new medical school in said city.

Which were severally received and referred—the 1st and 4th to the committee on the Judiciary; the 2d, 3d and 6th to the committee on Religion;

the 5th to the committee on Internal Improvement; and the 7th to the committee on Education.

A message, in writing, was received from the Governor, by Mr. Mitchell, Assistant Secretary of State.

The rule of the Senate being dispensed with, the said message was taken up, and read as follows, to-wit:

Gentlemen of the Senate :

I nominate for your advice and consent, David R. Dugan to be Colonel; Joseph McClasky, Lieut. Colonel, and John R. Briggs, Major of 62d Regiment, 1st Brigade.
WM. OWSLEY.

Resolved, That the Senate advise and consent to the said appointments.

The following bills were reported from the committee on the Judiciary, viz:

By Mr. Crenshaw—A bill for the benefit of the widow and heirs of Jeremiah Joyner, deceased.

By same—A bill for the benefit of Robert S. Taylor and others.

By Mr. Wall—A bill increasing the powers of the Harrison County Court.

By Mr. Rice—A bill authorizing Jeremiah C. Richards to sell certain lands in Carter county, and for other purposes.

Which bills were each read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Crenshaw, from the committee on the Judiciary, to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of W. B. Price and others, reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Wall, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of John Thornhill, Betsey Thornhill, Priscilla Thornhill and Mahala Thornhill, reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Rice, from the same committee, to whom was referred bills from the House of Representatives of the following titles, to-wit:

An act to change the time of holding the Clay Circuit Court, and for other purposes.

An act for the benefit of the widow and heirs of William Peters.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. J. Speed Smith, from the committee on Internal Improvement, reported a bill to incorporate the Clarke's Run and Salt River Turnpike Road Company, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. J. Speed Smith, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act to amend an act to prevent the wanton destruction of fish, reported the same, with the opinion of the committee that it ought not to pass; and the said bill was laid on the table.

Mr. J. Speed Smith, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act to change a part of the State road, in Marshall county, between Grey's ferry and Paducah, reported the same with an amendment, which was concurred in.

Ordered, That said bill be read a third time, as amended.

The constitutional rule as to third reading being dispensed with,

Resolved, That said bill, as amended, do pass, and that the title thereof be as aforesaid.

Mr. J. Speed Smith, from the same committee, to whom was referred bills from the House of Representatives, of the following titles, to-wit:

An act to incorporate the Flemingsburg and Poplar Plains Turnpike Road Company.

An act to amend an act, entitled, an act to incorporate the Boone Turnpike Road Company, and for other purposes.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Evans, from the committee on Education, to whom was referred bills from the House of Representatives, of the following titles, to-wit:

An act to incorporate the Cove Spring Academy, in the county of Boyle.

An act to incorporate the Lexington Female Institute.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Williams, from the committee on Federal Relations, reported a bill for the benefit of Francis Giltner, of Carroll county, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading being dispensed with, said bill was made the special order of the day for Wednesday, the 2d day of February next.

Mr. Grey, from a select committee, reported a bill to regulate the time of holding the courts in the 2d, 7th and 14th Judicial Districts, and for other purposes, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading being dispensed with, said bill was committed to a committee of the whole House, on the State of the Commonwealth, and made the special order of the day for Monday, the 7th day of February.

Ordered, That the Public Printer print 150 copies of the said bill, for the use of the General Assembly.

A message was received from the Governor, by Mr. Reed, Secretary of State, announcing that the Governor had approved and signed enrolled bills and enrolled resolutions, which originated in the Senate, of the following titles viz:

An act for the benefit of the children of William Arnette, and others.

An act for the benefit of the widow and heirs of Samuel W. Bryce, deceased.

An act for the benefit of Samuel Hogan, of Green county.

An act for the benefit of Mary Terhoune, of Fleming county.

An act to establish an additional election precinct in Caldwell county.

An act for the benefit of Moses Kirkpatrick, of Monroe county.

An act for the benefit of Joseph Hinkle, of Muhlenburg county.

An act authorizing certain deed books of the Logan County Court to be transcribed.

An act to amend the charter of the town of Paducah, and for other purposes.

An act for the benefit of Pleasant H. Williams, of Clinton county.

An act for the benefit of Richard Neil, and Elizabeth E. Neil, his wife.

An act to amend the act to incorporate the Paris Cemetery Company.

An act for the benefit of George T. Edwards, of Logan county.

An act regulating the taxation of costs in suits brought by administrators and executors.

A resolution concerning the Lexington and Ohio Railroad.

An act to amend the charter of the Covington and Lexington Turnpike Road Company.

A resolution fixing a day for the election of Public Officers.

An act providing for a change of venue in the prosecution against Benjamin All. Approved January 29, 1848.

The following bills were reported from select committees, to-wit:

By Mr. Williams—1. A bill to amend the charter of the Bourbon County Agricultural Society.

By Mr. J. Speed Smith—2. A bill changing the manner of punishment in capital cases.

Which bills were each read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading of said bills being dispensed with, the 2d was referred to the committee on the Judiciary, and the 1st was ordered to be engrossed and read a third time.

The constitutional rule as to the third reading of the 1st bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

On the motion of Mr. Hawkins, leave was given to bring in the following bills, to-wit:

A bill to increase the width of the road leading from Florence to Anderson's ferry, in the county of Boone.

Also, a bill to incorporate the Hamilton and Walton Turnpike Road Company, in Boone county.

Ordered, That the committee on Internal Improvement prepare and report said bills.

A bill to fix the ratio and apportion the representation in the Senate and House of Representatives, for the ensuing four years, being the special order of the day in committee of the whole, was taken up, and the further consideration of said bill was postponed until Wednesday, the 9th day of February next.

A bill to incorporate the Frankfort and Lawrenceburg Turnpike Road Company, was taken up and amended.

Ordered, That said bill be engrossed and read a third time.

The constitutional rule as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

An engrossed bill, entitled, an act to extend the Franklin and Crab Orchard turnpike road to Oregon, in Mercer county, was read the third time, and re-committed to the committee on Internal Improvement.

A message was received from the House of Representatives, by Mr. H. Smith, asking leave to withdraw the report of the adoption, by the House of Representatives, of a resolution in relation to the annual message of the Governor; which leave was granted, and the said resolution withdrawn accordingly.

And then the Senate adjourned.

TUESDAY, FEBRUARY 1, 1848.

A message was received from the House of Representatives, announcing that they had received official information that the Governor had approved and signed enrolled bills, which originated in that House, of the following titles, to-wit:

- An act for the benefit of Benjamin Franklin Violett, and Wm. Bush, Jr.
- An act for the benefit of James S. Smallwood.
- An act allowing an additional Constable to the county of Johnson.
- An act allowing an additional Constable to Bath county.
- An act for the benefit of Mary D. Mosby and Daniel B. Mosby.
- An act for the benefit of Thomas St. Clair Lowe and George Wilson Jones, and Amanda J. Miller.
- An act authorizing the Court of Assessment for the 106th Regiment of Kentucky Militia, to hold the court on the first Monday in April.
- An act to amend the act to establish a Female Academy in the town of Harrodsburg, approved 9th February, 1829.
- An act to amend the road law of the county of Boone.
- An act to change the names of certain persons, and for other purposes.
- An act to amend the charter of the Western Baptist Theological Institute at Covington, Kentucky.
- An act establishing additional precincts in Floyd and Rockcastle counties.
- An act for the benefit of James Hambel, and for other purposes.
- An act to authorize Thomas Bratcher to raise his mill dam on Caney Creek, in Grayson county.

An act for the benefit of the Dover and Minerva Turnpike, and Maysville and Germantown Turnpike.

An act allowing an additional Justice of the Peace to the county of Floyd.

An act to incorporate the Muddy River Navigation and Manufacturing Company. Approved January 28, 1848.

An act more effectually to suppress gambling.

An act for the benefit of Rebecca Shields.

An act to incorporate the Christian Church, at Morganfield.

An act relinquishing the title of the Commonwealth to certain real estate to trustees, for school purposes.

An act declaring Middle creek, in Floyd county, navigable from its mouth to its first forks, at Spradling's store.

An act to amend the charter of the city of Maysville, and for other purposes.

An act for the benefit of John H. Boarman.

Approved January 29, 1848.

That they had concurred in the amendments proposed by the Senate, to bills from that House, of the following titles, to-wit:

An act to incorporate the Stickney Mining Company, of Crittenden county.

An act to incorporate the Columbian Mining Company, of Crittenden county.

An act to amend the several acts to suppress duelling.

An act for the benefit of Samuel Jarvis.

An act to run and establish the line between the counties of Livingston and Crittenden, and for other purposes.

An act for the benefit of Joseph Decre.

That they had passed a bill from the Senate, entitled, an act for the benefit of William G. Pierce, of Trimble county, with an amendment, which was concurred in.

That they had passed bills of the following titles, to-wit:

1. An act for the benefit of ministers of the gospel.

2. An act for the benefit of James Jenkins, of Warren county.

3. An act for the benefit of the heirs of Theophilus D. Stark, deceased.

4. An act for the benefit of Harrison Daniel, former Sheriff of Jessamine county.

5. An act to extend the limits of the town of Boonville, in Owsley county, and for other purposes.

6. An act to amend the law regulating the taxation of costs in appeal cases.

7. An act to amend the law concerning processions lands, and to perpetuate the evidence of land boundaries.

8. An act allowing additional Justices of the Peace to Morgan, Owsley, Hardin and Henry counties.

9. An act for the benefit of Henry G. Black, Surveyor of Ballard county.

10. An act concerning conveyances.

11. An act to amend the proceedings in criminal and penal cases.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional rule as to second reading of said bills being dispensed with, they were referred—the 1st and 4th to the committee on Finance; the 2d and 8th to the committee on Propositions and Grievances; and the 3d, 5th, 6th, 7th, 9th, 10th and 11th to the committee on the Judiciary.

1. Mr. Patterson presented the petition of Martin Marion, of Ballard county, who stands indicted in the McCracken Circuit Court for larceny, praying for the passage of a law granting him a change of venue.

2. Mr. James presented the petition of W. W. Edwards, praying for the passage of a law permitting him to bring a slave into this State, without incurring the penalty of the law of 1833, prohibiting the importation of slaves.

3. Mr. Thornton presented the remonstrance of sundry citizens of the town of Midway, against the passage of an act to amend the laws of said town.

4. Mr. Thurman presented the petition of Catharine Montgomery, committee to Lucy Montgomery, an idiot, praying for the passage of a law allowing her payment for taking care of the said Lucy for the year ending 27th of April, 1847.

5. Mr. Evans presented the petition of Benjamin Downing, committee to Isaac Bush, a lunatic, praying for the passage of a law authorizing the sale of a tract of land belonging to said Bush.

6. Mr. Thurman presented the petition of Uriah Gartin, guardian to the children of Philip W. Baker, deceased, praying for the passage of a law authorizing the sale of a tract of land belonging to said heirs.

7. Mr. Draffin presented the petition of Richard Pemberton and others, stockholders in the Frankfort and Crab Orchard turnpike road, praying an investigation into the management of said road.

8. Mr. Slaughter presented a memorial from a public meeting of sundry citizens of Nelson and the adjoining counties, praying the passage of a law incorporating the Bardstown and Salt River Navigation Company.

9. Mr. Hawkins presented the petition of the Trustees and sundry citizens of the town of Petersburg, in Boone county, praying an amendment to the laws regulating said town.

Which petitions and remonstrance were severally received and referred—the 1st, 3d, 5th, 6th and 9th to the committee on the Judiciary; the 2d to the committee on Propositions and Grievances; the 4th to the committee on

Finance; the 7th to the committee on Internal Improvement; and the 8th to a select committee of Messrs. Slaughter, Heady, Thurman and Helm.

The following bills were reported, to-wit:

By Mr. Crenshaw, from the committee on the Judiciary—A bill for the benefit of William Scott.

By Mr. Rice, from the same committee—A bill to change the time of holding the Hopkins County Court.

By Mr. Boyd, from the committee on Religion—A bill for the benefit of Sarah Jane Acuff, of Calloway county.

By Mr. Draffin, from the same committee—A bill to divorce William R. Ennis from his former wife, and for other purposes.

By Mr. J. Speed Smith, from the committee on Internal Improvement—A bill for the benefit of James M. Anderson.

By Mr. James, from the committee on Finance—A bill for the benefit of Fleming Cayce, of Hickman county.

By Mr. Slaughter, from the committee on Agriculture and Manufactures—A bill to incorporate the Logan Manufacturing Company.

Which bills were each read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bills being dispensed, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Boyd, from the committee on Religion, to whom was a referred bills from the House of Representatives, of the following titles, to-wit:

An act to incorporate the Pisgah Church, in the county of Woodford.

An act for the benefit of Franklin Darnell.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. J. Speed Smith, from the committee on Internal Improvement, reported a bill to incorporate the New Orleans and Ohio Telegraph Company, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading of said bill being dispensed with, it was placed in the orders of the day, and the Public Printer was directed to print 150 copies thereof, for the use of the General Assembly.

Mr. J. Speed Smith, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act to incorporate the Lexington Cemetery, reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional rule as to the third reading being dispensed with,
Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. James, from the committee on Finance, to whom was referred bills from the House of Representatives, of the following titles, to-wit:

An act for the benefit of the Sheriffs of Bourbon, Clarke, Lincoln and Fayette counties.

An act for the benefit of the late Sheriff, and his deputies, of Owen county.

An act for the benefit of Mary Jane Eals, an idiot.

An act for the benefit of James G. Edens.

An act for the benefit of William P. Ligon.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. James, from the same committee, to whom was referred bills from the House of Representatives of the following titles, to-wit:

An act for the benefit of the Sheriffs of Nicholas, Barren, Floyd and Boone counties.

An act to increase the revenue.

Reported the same with amendments to each, which were concurred in.

Ordered, That said bills be read a third time, as amended.

The constitutional rule as to third reading being dispensed with,

Resolved, That said bills, as amended, do pass, and that the titles thereof be as aforesaid.

Mr. Evans, from the committee on Education, to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of Harvard University, reported the same, with the opinion of the committee that it ought not to pass.

The question being taken on reading said bill a third time, it was decided in the negative, and so the said bill was disagreed to.

Mr. Evans, from the same committee, to whom was referred bills from the House of Representatives, of the following titles, to-wit:

An act to incorporate the Phi Mu Society, of Shelby College.

An act to amend an act, entitled, an act to incorporate a College in Union county, styled the Henry Clay Institute, approved February 7, 1845.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Helm, from the committee on Sinking Fund, to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of M. R. Stealey, late architect of the Penitentiary buildings, reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

On the motion of Mr. Slaughter,

Resolved, That the Board of Internal Improvement report to the Senate any evidence in their possession, of the claim of Spotswood Wills, Treasurer of the Bardstown and Green River Turnpike Road Company, upon said Company.

Leave was given to bring in the following bills, to-wit:

On the motion of Mr. McMillan—1. A bill to authorize the County Court of Nicholas county to subscribe stock to the Carlisle and Sharpsburg turnpike road.

On the motion of Mr. Heady—2. A bill to incorporate a company to construct a turnpike road from Mt. Eden, in Spencer county, to Shelbyville, in Shelby county.

On the motion of Mr. Taylor—3. A bill to remove obstructions to the navigation of the Kentucky river, above slackwater.

On the motion of Mr. Patterson—4. A bill to amend an act to reduce into one the several acts, respecting the establishment of ferries, approved December 17, 1796.

On the motion of Mr. Evans—5. A bill to amend the law of Common Schools in Kentucky.

On the motion of Mr. Hawkins—6. A bill for the benefit of Aaron Yager, of Boone county.

The committee on Internal Improvement was directed to prepare and bring in the 1st and 3d; the committee on the Judiciary the 4th; the committee on Education the 5th; the committee on Finance the 6th; and Messrs. Heady, Russell, Helm and Thurman were appointed a committee to prepare and bring in the 2d.

A bill to authorize the construction of Lock and Dam, No. 6, on the Kentucky river, came up in the orders of the day, and the further consideration of said bill was postponed, and it was made the special order of the day for Thursday, the 10th inst.

An engrossed bill, entitled, an act to appropriate the dividends of the Bardstown and Louisville, and the Bardstown and Green river turnpike

roads, to the completion of the road between Bardstown and Glasgow, was read the third time.

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A bill to incorporate the Lexington and Frankfort Railroad Company, came up in the orders of the day; the further consideration of said bill was postponed, and it was made the special order of the day for Tuesday, the 8th inst.

The Senate proceeded to the consideration of a bill appropriating one thousand dollars to improve the navigation of the South fork of the Kentucky river, at and near the Narrows.

The amendment proposed by Mr. Walker, striking out one thousand and inserting six hundred dollars, as the amount appropriated in said bill, was adopted.

The question was then taken on engrossing and reading said bill a third time, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Heady and Patterson, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Crenshaw,	Patterson,	Thurman,
Draffin,	Slaughter,	Todd,
Evans,	Speed Smith,	Walker,
Grey,	Swope,	White,
Helm,	Taylor,	Williams—17.
Hobbs,	Thornton,	

Those who voted in the negative, were—

Messrs. Boyd,	Hawkins,	McMillan,
Bradley,	Heady,	McNary,
Bramlette,	Holloway,	Thomas,
Brien,	James,	Wall,
Fox,	Marshall,	Young—16.
Hambleton,		

The resolution fixing a day for the final adjournment of the General Assembly, read and laid on the table by Mr. Evans, on the 29th of January, came up in the orders of the day.

The said resolution was laid on the table.

On the motion of Mr. Evans,

Resolved, That the committee on the Judiciary enquire into the expediency of passing a law to punish offences of maliciously injuring or destroying personal property, and all other offences against the public peace, not now punishable by law; and that they report by bill, if to them it seems expedient.

On the motion of Mr Walker,

Resolved, That the committee on Internal Improvement be requested to enquire into the propriety of passing a law appropriating the tolls received on the road from Elizabethtown to the Tennessee line, in the direction of Nashville, to the completion of said road.

A message, in writing, was received from the Governor, by Mr. Reed, Secretary of State.

The rule of the Senate being dispensed with, the said message was taken up, and read as follows, to-wit:

Gentlemen of the Senate :

I nominate for your advice and consent, James S. Whitaker to be Notary Public in the county of Shelby. WM. OWSLEY.

By the Governor:

W. D. REED, *Secretary of State*.

Resolved, That the Senate advise and consent to the said appointment.

Mr. Boyd moved to reconsider the vote of yesterday, by which the further consideration of the bill to fix the ratio and apportion the representation in the Senate and House of Representatives, for the ensuing four years, was postponed until Wednesday, the 9th inst., and made the special order of the day in committee of the whole.

The question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Holloway and Boyd, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Boyd,	Helm,	Slaughter,
Bradley,	Hobbs,	Swope,
Draffin,	Holloway,	Taylor,
Evans,	James,	Thurman,
Grey,	Marshall,	Todd,
Hawkins,	McMillan,	Young—20.
Heady,	McNary,	

Those who voted in the negative, were—

Messrs. Bramlette,	Patterson,	Walker,
Brien,	Speed Smith,	Wall,
Fox,	Thomas,	White—11.
Hambleton,	Thornton,	

Ordered, That said bill be made the special order of the day for to-morrow, in committee of the whole house, on the State of the Commonwealth.

And then the Senate adjourned.

WEDNESDAY, FEBRUARY 2, 1848.

A message was received from the House of Representatives, announcing that they had disagreed to a bill from the Senate, entitled, an act to prevent the sale of spirituous liquors to slaves.

That they had passed bills of the following titles, to-wit:

An act to change the time of holding the Christian Circuit and County Courts, and for other purposes.

An act for the benefit of the heirs of Joshua Wallace, deceased.

An act for the benefit of George S. Gravit, late Sheriff of Grant county.

An act for the benefit of the Somerset Academy.

An act for the benefit of Ira H. and William George.

An act to change the name of Nelly S. Craig.

A message in writing, was received from the Governor, by Mr. Reed, Secretary of State.

The rule of the Senate being dispensed with, the said message was taken up, and read as follows, to-wit:

Gentlemen of the Senate:

I nominate for your advice and consent, Edward M. Samuel to be Commissioner of Deeds for the State of Kentucky, in the State of Missouri.

WM. OWSLEY.

By the Governor:

W. D. REED, *Secretary of State.*

Resolved, That the Senate advise and consent to the said appointment.

1. Mr. English presented the petition of Elizabeth Morgan, of Trimble county, praying for the passage of a law granting her a divorce from her husband, David H. Morgan.

2. Mr. Rice presented the petition of the Trustees of the town of Greensburg, praying for the passage of a law incorporating said town, and legalizing the survey thereof.

3. Mr. James presented the petition of Martha Webb, administratrix, and William Webb, administrator, of Henry Webb, deceased, of Ballard county, praying for the passage of a law authorizing the sale of an unimproved tract of land, and the proceeds applied to the payment of the debts of said estate.

4. Mr. English presented the petition of sundry citizens of Trimble county, praying for the passage of a law laying off said county into four Constable's districts.

5. Mr. Slaughter presented the petition of Messrs. Jones, Wilson and Jackson, of Newport, praying for the passage of a law to promote the manufacture of silk in this Commonwealth.

Which petitions were severally received and referred—the 1st to the committee on Religion; the 2d and 3d to the committee on the Judiciary; the 4th to the committee on Propositions and Grievances; and the 5th to the committee on Agriculture and Manufactures.

Mr. Bradley, from the joint committee on Enrollments, reported that the committee had examined enrolled bills and enrolled preamble and resolutions, which originated in the House of Representatives, of the following titles, to-wit:

An act to incorporate the Stickney Mining Company, of Crittenden county.

An act to incorporate the Columbian Mining Company, of Crittenden county.

An act to amend the several acts to suppress duelling.

An act to amend an act, entitled, an act to incorporate the town of Lagrange, approved January 23, 1840.

An act for the benefit of Benjamin Berry, Jr., of Union county.

An act for the relief of George M. Green.

An act to divorce Susan F. Norrell, and for other purposes.

An act for the benefit of John H. Breeding and wife, and for other purposes.

An act for the benefit of Joseph Decre.

An act to run and establish the line between the counties of Livingston and Crittenden, and for other purposes.

An act for the benefit of the Church of Christ, on Chenoweth's Run, in Jefferson county.

An act for the benefit of the widow and heirs of William Peters.

An act for the benefit of W. B. Price, and others.

An act to amend an act, entitled, an act to incorporate the Boone Turnpike Road Company, and for other purposes.

An act to incorporate the Cove Spring Academy, in the county of Boyle.

An act to change the time of holding the Clay Circuit Court, and for other purposes.

An act for the benefit of John Thornhill, Betsey Thornhill, Priscilla Thornhill and Mahala Thornhill.

An act for the benefit of Samuel Jarvis.

An act to increase the jurisdiction of the Trustees of the town of Carrolton.

Preamble and resolutions in relation to General John Caldwell, late Lieut. Governor of Kentucky.

And had found the same truly enrolled.

The said bills and resolutions having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature

thereto, and they were delivered to the committee to be presented to the Governor for his approbation and signature. After a short time Mr. Bradley reported that the committee had performed that duty.

Mr. Crenshaw, from the committee on the Judiciary, to whom was referred bills from the House of Representatives, of the following titles, viz:

An act to amend an act, entitled, an act to incorporate the Union White Sulphur Springs Company, approved February 11, 1836.

An act to amend an act to enlarge the powers of the Trustees of the town of Morganfield, and for other purposes, approved March 2, 1844.

An act for the benefit of John B. Embree, of Monroe county.

An act to amend the charter of the Paris Fire Company.

An act to legalize the proceedings of the Whitley County Court in relation to the appointment of Jailer.

An act authorizing the County Court of Woodford to lay an additional levy on slaves, for the purpose of paying an efficient patrol.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Patterson, from the same committee, to whom was referred bills from the House of Representatives, of the following titles, to-wit:

An act to amend the charter of the Licking Bridge Company.

An act in relation to the vacant lands in Wayne county, and for other purposes.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Rice, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act to incorporate the town of Piketon, in Pike county, and for other purposes, reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Rice, from the same committee, reported a bill to amend an act, entitled, an act to increase the powers of the Trustees of the town of Versailles, which was read the first time, and ordered to be read a second time

The constitutional rule as to the second and third readings of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

On the motion of Mr. Rice, the committee on the Judiciary was discharged from the further consideration of a bill from the House of Representatives, entitled, an act to amend the laws in regard to the town of Midway; and also the remonstrance in reference to said bill.

The said bill was placed in the orders of the day.

Mr. Walker, from the committee on Propositions and Grievances, to whom was referred bills from the House of Representatives, of the following titles, to-wit:

An act to allow an additional Justice of the Peace to the county of Fleming.

An act to enlarge the powers of the Trustees of the town of Uniontown, in Union county.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Walker, from the same committee, reported a bill for the benefit of W. W. Edwards, of Fulton county, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

On the motion of Mr. Walker, the committee on Propositions and Grievances was discharged from the further consideration of a bill from the House of Representatives, entitled, an act to incorporate the town of Ringgold, in Pulaski county.

Ordered, That said bill be read a third time.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Speaker laid before the Senate a communication from the President of the Board of Internal Improvement, in reponse to a resolution adopted by the Senate on yesterday, which is as follows, to-wit:

OFFICE OF BOARD OF INTERNAL IMPROVEMENT, }
February 2d, 1848.

In reply to the resolution of the Senate of yesterday, I have the honor to state: that soon after the passage of the law of 1843-4, page 75, the

Board addressed a circular to the President and Treasurer of each Turnpike Road Company, in which the State is a stockholder, requiring them to forward a statement of the indebtedness of their respective companies; the individuals to whom indebted; and the amount due to each. Mr. D. S. Howell, President, and Spotswood Wills, Treasurer, of the Bardstown and Green river road, reported that there was due to various persons the aggregate sum of eighteen thousand one hundred and eighteen dollars ninety one cents, (\$18,118 91;) the list contained the name of Spotswood Wills, as a creditor of said Company, in the sum of two thousand dollars, (\$2,000.)

This report of indebtedness is made out by said Wills, as Treasurer, and sworn to by himself and President Howell; and upon it the Board have paid to Mr. Howell, as the attorney in fact for Mr. Wills, the sum of thirteen hundred and thirty-three dollars thirty-three and one third cents, (\$1,333 33 $\frac{1}{3}$;) being two-thirds of the whole sum due him. This payment was made on the 11th of June, 1844, and liquidates the State's portion of the debt due to Wills. The Board supposes that no work has been done on said road since the date of that payment; they have authorized none to be done, and none could have been done lawfully, by which the State would become further involed in debt.

Very respectfully,

THOMAS METCALFE, P. B. I. I.

Hon. A. DIXON,

Lieut. Governor and Speaker of the Senate.

Ordered, That said report be referred to the committee on Internal Improvement.

Mr. Boyd, from the committee on Religion, to whom was referred a bill from the House of Representatives, entitled, an act for the divorce of Jesse Fitzgerald, reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. J. Speed Smith, from the committee on Internal Improvement, to whom was referred an engrossed bill, entitled, an act to extend the Franklin and Crab Orchard turnpike road to Oregon, in Mercer county, reported the same with an amendment, which was concurred in.

The said bill reads as follows, to-wit:

SEC. 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky,* That the Board of Internal Improvement in Mercer county, on the Frankfort and Crab Orchard turnpike road be, and they are hereby authorized and directed, to cause to be constructed, a similar turnpike road from Oregon, on the Kentucky river, to the said Franklin and Crab Orchard road, and not farther on the said road than the Methodist church, in or near Salvisa.

SEC. 2. *Be it further enacted,* That for the purpose of aiding in the construction of said road, the said Board of Internal Improvement shall cause their books to be opened, for subscriptions to said road, at the Clerk's office in the town of Harrodsburg, and in the town of Salvisa at Matheny's tavern, or at any other place in Mercer county, on the first Monday in the

month of April next; and as soon as the sum of one thousand dollars, in shares of twenty five dollars, is subscribed and secured to the said Board, payable in six and twelve months, the said Board shall commence the construction and opening of said road.

SEC. 3. *Be it further enacted*, That for the purpose of aiding the said Board in the completion of the said road, the State's interest in the dividends arising from the tolls on the Franklin and Crab Orchard turnpike, in Mercer county, be, and the same are hereby authorized to be used by the said Board, in the construction of said road, for the term of five years, unless the same should be completed sooner.

SEC. 4. *And be it further enacted*, That the sum so used by the Board shall be taken and considered as so much stock subscribed on the part of the State, and shall be divided into shares of twenty five dollars; and it shall be the duty of the Board to make a report of the sums of money used by the said Board in the construction of the road, to the State Board, who shall, upon the books of the State Board, enter the same, as so much stock subscribed on the part of the State; and on the completion of said road, the Board of Internal Improvement for Mercer county shall have the same right to collect tolls from this road as they have on the Franklin and Crab Orchard road.

The question was then taken on re-engrossing and reading said bill a third time, and it was decided in the negative, so the said bill was disagreed to.

The yeas and nays being required thereon by Messrs. Heady and Draffin, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Crenshaw,	Hawkins,	Thornton,
Draffin,	Helm,	Walker,
English,	Hobbs,	White,
Evans,	Russell,	Williams—13.
Grey,		

Those who voted in the negative, were—

Messrs. Boyd,	Holloway,	Swope,
Bradley,	James,	Taylor,
Bramlette,	Marshall,	Thomas,
Brien,	McMillan,	Todd,
Fox,	McNary,	Wall,
Hambleton,	Rice,	Young—20.
Heady,	Speed Smith,	

On the motion of Mr. J. Speed Smith,

Resolved, That the committee on Internal Improvement have, and they hereby are vested with power to send for persons and papers, in the matter of the petition of Richard Pemberton and others.

Mr. Evans, from the committee on Education, reported a bill for the establishment of the Kentucky College of Medicine and Surgery, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading being dispensed with, The question was taken on engrossing and reading said bill a third time, and it was decided in the negative, and so the said bill was rejected.

Mr. J. Speed Smith, from the committee on Internal Improvement, reported a bill authorizing the County Court of Nicholas to subscribe stock in the Carlisle and Sharpsburg Turnpike Road Company, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Leave was given to bring in the following bills, to-wit:

On the motion of Mr. Todd—1. A bill to incorporate the Female Collegiate High School, at Lexington, Ky.

On the motion of Mr. Marshall—2. A bill for the benefit of Green county.

The committee on Education was directed to prepare and bring in the 1st, and Messrs. Marshall, Walker and Brien were appointed a committee to prepare and bring in the 2d.

The Senate then proceeded to the consideration of a bill to connect the Kentucky River Navigation with the Louisville and Crab Orchard turnpike road, in Mercer county.

The question was taken on concurring in the amendment proposed to said bill by Mr. Wall, and it was decided in the negative.

The said bill reads as follows, to-wit:

Whereas, the turnpike road leading from Louisville to Crab Orchard, passes within two miles and a few poles of the Kentucky river, near the town of Salvisa, in the county of Mercer, and it is of deep interest, as well as desirable to the people of a very large section of country, to connect the said road with the Kentucky River Navigation; and by the report of one of the State engineers, said road and river can be connected by a good turnpike road for a sum not exceeding eight or nine thousand dollars, which will bring to the river navigation a large increase of tolls and exports. Therefore,

SEC. 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Board of Internal Improvement be, and they are hereby authorized to enter into a contract for the construction of a good turnpike road, of the usual width, from the town of Oregon, at Harrod's landing, on said river, to the Louisville and Crab Orchard road, at the town of Salvisa, and not further south than the Methodist church, near said town, either by private contract or by letting said road to the lowest bidder, after publicly advertising the same, by giving thirty day's notice in some authorized newspaper printed in Frankfort; and for the purpose of aiding in the construction of said road, the said Board is hereby authorized to draw from the Treasury one thousand dollars, annually, for five years, commencing on the first day of September next, which is hereby appropriated for that purpose, out of any money in the Treasury not otherwise appropriated.

SEC. 2. That any balance required for the completion of said road, by the said Board, beyond the sums named, shall be paid by the county of Mercer, or private individuals, and no further demands shall be required from the State.

SEC. 3. That the route of said road shall be located by one of the river engineers, in accordance with the existing laws in relation to public roads; and when said road is completed, the same shall be under the jurisdiction and kept in repair by the said County Court of Mercer, as other public roads.

SEC. 4. That no contract shall be closed, under this act, until the amount shall be subscribed by the County Court of Mercer, or by responsible individuals, or by both, payable to the President of the Board of Internal Improvement, sufficient to complete said road from Oregon to the turnpike road from Louisville to Crab Orchard.

The question was then taken on engrossing and reading said bill a third time, and it was decided in the negative, so the said bill was disagreed to.

The yeas and nays being required thereon by Messrs. Heady and Draffin, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Crenshaw,	Grey,	Thornton,
Draffin,	Patterson,	White—8.
Evans,	Russell,	

Those who voted in the negative, were—

Messrs. Boyd,	Helm,	Swope,
Bradley,	Holloway,	Taylor,
Bramlette,	James,	Thomas,
Brien,	Marshall,	Thurman,
English,	McMillan,	Todd,
Fox,	McNary,	Walker,
Hambleton,	Rice,	Wall,
Hawkins,	Slaughter,	Williams,
Heady,	Speed Smith,	Young—27.

A bill for the benefit of Francis Giltner, of Carroll county, Kentucky, came up in the orders of the day.

The said bill was amended.

The question was then taken on engrossing and reading said bill a third time, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Evans and Williams, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Boyd,	Holloway,	Thornton,
Bramlette,	McMillan,	Todd,
Crenshaw,	McNary,	Walker,
Fox,	Patterson,	Wall,
Hawkins,	Rice,	White,

Heady,
Helm,
Hobbs,

Russell,
Speed Smith,
Taylor,

Williams,
Young—23.

Those who voted in the negative, were—

Messrs. Bradley,
Brien,
Draffin,
English,

Evans,
Grey,
Hambleton,
Marshall,

Slaughter,
Swope,
Thomas,
Thurman—12.

The constitutional rule as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Wall moved to reconsider the vote by which a bill for the establishment of the Kentucky College of Medicine and Surgery, was rejected.

And the question being taken thereon, it was decided in the negative.

A bill to fix the ratio and apportion the representation in the Senate and House of Representatives, for the ensuing four years, came up as the special order of the day. The further consideration of said bill was postponed, and it was made the special order of the day Tuesday next, the 8th inst., in committee of the whole House, on the State of the Commonwealth.

And then the Senate adjourned.

THURSDAY, FEBRUARY 3, 1848.

A message was received from the House of Representatives, announcing that they had passed bills from the Senate, of the following titles, to-wit:

An act for the benefit of Eveline Adams.

An act to divorce Sarah Lane and others.

An act to divorce Joseph L. Craft from his wife, Hannah Craft, of Boone county.

That they had passed bills of the following titles, to-wit:

1. An act to legalize an order of the Fayette County Court at their July Term, 1847.

2. An act to incorporate the Trustees of the Covington Female College.

3. An act for the benefit of Eliza Cowen.

4. An act to divorce Elizabeth A. King.

5. An act to divorce Edward R. and Elizabeth Sumpter.

6. An act to amend the law regulating proceedings in chancery.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional rule as to second reading of said bills being dispensed with, they were referred—the 1st and 6th to the committee on the Judiciary; the 2d to the committee on Education; and the 3d, 4th and 5th to the committee on Religion.

1. Mr. Walker presented the petition of Emily F. Lewis, wife of Waller Lewis, of Logan county, praying for the passage of a law authorizing the sale or exchange of certain land and negroes, conveyed by Hamilton Washington, of the State of Mississippi, to Robert Browder, as trustee for the said Emily F. Lewis and her children.

2. Mr. Walker also presented the petition of the Trustees of the town Russellville, praying for the passage of a law authorizing them to sell streets or alleys in said town, under certain conditions and restrictions.

3. Mr. Brien presented the petition of sundry citizens of Calloway county, praying that William Ward, of said county, may be exempted from the penalties of the law of 1833, incurred for having imported a slave into this State.

4. Mr. Brien also presented the petition of William Ward, of Calloway county, praying to have refunded to him the entrance price for two fractional quarter sections of land, lying west of the Tennessee river, and within the survey of Peter Kemp.

5. Mr. Helm presented the petition of John Cunningham, praying for the passage of a law divorcing him from his wife, Elizabeth Cunningham.

Which petitions were severally received and referred—the 1st, 2d and 4th to the committee on the Judiciary; the 3d to the committee on Propositions and Grievances; and the 5th to the committee on Religion.

Mr. Grey presented to the Senate a memorial from the Convention of Tobacco Planters of the Green river country or southern part of the State, which was read and referred to a select committee of Messrs. Grey, Crenshaw, Evans, Walker, James, Brien, Holloway, McNary, Hardin and Patterson.

Leave of absence was granted to Mr. Fox until Tuesday next.

The following bills were reported, to-wit:

By Mr. Wall, from the committee on the Judiciary—A bill to amend an act, entitled, an act to establish the town of Brooksville, in Bracken county.

Also—A bill for the benefit of Joseph C. Harrison, of Boone county, and others.

By Mr. Patterson, from the same committee—A bill for the benefit of Martin Mannon, of McCracken county.

By same—A bill increasing the powers of the Trustees of the Princeton Seminary, and for other purposes.

By Mr. Boyd, from the committee on Religion—A bill to incorporate the Walnut Street Christian Church, of the city of Louisville.

By Mr. Grey, from the committee on Internal Improvement—A bill to incorporate a road from Washington to Murphysville, in Mason county.

By Mr. Evans, from the same committee—A bill to incorporate a company to construct a turnpike road from Cynthiana, in Harrison county, to Newtown, in Scott county, and for other purposes.

By Mr. James, from the committee on Finance—A bill for the benefit of Maria Graves, of Boone county.

By Mr. Evans, from the committee on Education—A bill to incorporate the Lexington Female High School.

By Mr. McNary, from a select committee—A bill to amend the laws concerning the town of Greenville, in Muhlenburg county.

By Mr. Hobbs, from a select committee—A bill to amend the road law of Jefferson county.

By Mr. Marshall, from a select committee—A bill to amend an act entitled, an act appropriating 6,000 acres of lands west of the Tennessee river, for the erection of a bridge across Pittman's creek, in Green county, approved 20th February, 1835.

Which bills were each read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bills being dispensed, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Rice, from the committee on the Judiciary, to whom was referred bills from the House of Representatives, of the following titles, viz:

An act for the benefit of the heirs of Theophilus D. Stark, deceased.

An act to extend the limits of the town of Boonville, in Owsley county, and for other purposes.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Patterson, from the same committee, to whom was referred bills from the House of Representatives, of the following titles, to-wit:

An act to incorporate the Trustees and Stockholders of the Doane and Gracy Fund, in the city of Covington.

An act to incorporate the Master and Wardens of Wingate Lodge, No. 161, at Simpsonville, in Shelby county.

An act for the benefit of Henry G. Black, Surveyor of Ballard county.
Reported the same without amendment.

Ordered, That said bills be read a third time.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Evans, from the committee on Internal Improvement, to whom was referred a bill from the House of Representatives, entitled, an act to amend the charters of the Louisville Turnpike Company, and Shelbyville Turnpike Road Company, reported the same with an amendment, which was concurred in.

Ordered, That said bill be read a third time, as amended.

The constitutional rule as to third reading being dispensed with,

Resolved, That said bill, as amended, do pass, and that the title thereof be as aforesaid.

Mr. James, from the committee on Finance, to whom was referred bills from the House of Representatives, of the following titles, to-wit:

An act for the benefit of ministers of the gospel.

An act for the benefit of the Clerk of the Campbell Circuit Court.

An act for the benefit of Harrison Daniel, former Sheriff of Jessamine county.

An act for the benefit of Joseph Riddle, of Cumberland county.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. James, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of Shackleford & Pullen, reported the same with amendments, which were concurred in.

Ordered, That said bill be read a third time, as amended.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bill, as amended, do pass, and that the title thereof be as aforesaid.

Mr. James, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of Clement Conner, late Sheriff of Greenup county, reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bill do pass, and that the title thereof be amended by striking out Greenup and inserting Montgomery.

Mr. Hobbs, from the committee on the Penitentiary, made the following report, to-wit:

[For Report—see *Legislative Documents*.]

Ordered, That the Public Printer print 150 copies of the said report, for the use of the General Assembly.

Mr. Hobbs, from the same committee, reported a bill to provide for a settlement with the present Keeper of the Penitentiary, the election of a Keeper or Keepers, and for other purposes, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading being dispensed with, said bill was made the special order of the day for Saturday next, and the Public Printer was directed to print 150 copies thereof, for the use of the General Assembly.

Mr. Heady, from the committee on Military Affairs, to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of the Taylor Guards, of Mercer county, reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Leave was given to bring in the following bills, to-wit:

On the motion of Mr. Brien—1. A bill to provide for supplying certain Justices of the Peace for Calloway county, with certain law books.

On the motion of Mr. Hambleton—2. A bill to amend the charter of the town of Hardinsburg.

On the motion of Mr. Draffin—3. A bill for the benefit of E. Dunnington, Ann Dunnington and Eliza Dunnington.

On the motion of Mr. Hobbs—4. A bill for the benefit of the Kentucky Institution for the Education of the Blind.

Messrs. Brien, James and Marshall were appointed a committee to prepare and bring in the 1st; Messrs. Hambleton, Patterson and Williams the 2d; Messrs. Hobbs, Slaughter, Evans and Crenshaw the 4th; and the committee on the Judiciary was directed to prepare and bring in the 3d.

Mr. Bradley, from the joint committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, to-wit:

An act to divorce Joseph L. Craft from his wife, Hannah Craft, of Boone county.

An act for the benefit of Eveline Adams.

And enrolled bills which originated in the House of Representatives, of the following titles, to-wit:

An act for the benefit of the late Sheriff, and his deputies, of Owen county.

An act for the benefit of the Sheriffs of Bourbon, Clarke, Lincoln and Fayette counties.

An act to amend an act, entitled, an act to incorporate a College in Union county, styled the Henry Clay Institute, approved February 7, 1845.

An act to incorporate the Phi Mu Society, of Shelby College.

An act for the benefit of William P. Ligon.

An act to incorporate the Lexington Female Institute.

An act for the benefit of Mary Jane Eals, an idiot.

An act for the benefit of James G. Edens.

An act for the benefit of M. R. Stealey, late architect of the Penitentiary buildings.

An act for the benefit of Franklin Darnell.

An act to incorporate the Flemingsburg and Poplar Plains Turnpike Road Company.

And had found the same truly enrolled.

The said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approbation and signature. After a short time Mr. Bradley reported that the committee had performed that duty.

On the motion of Mr. Boyd,

Resolved, That the committee on Finance be directed to enquire into the expediency of so amending the law concerning idiots and lunatics, as to dispense with the certificates of physicians, and substitute the certificate of Justices of the Peace, that the idiot or lunatic is so infirm that a personal appearance in court is impracticable; and report by bill or otherwise.

Mr. Hambleton, from a select committee, reported a bill to amend the charter of the town of Hardinsburg, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

On the motion of Mr. Wall,

Resolved, That the committee on the Judiciary be directed to enquire into the expediency of passing a law regulating and explaining the fees of Clerks and other officers in this Commonwealth.

A bill from the House of Representatives, entitled, an act to change the time of holding the Christian County and Circuit Courts, and for other purposes, was read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading of said bill being dispensed with, it was referred to the committee on the Judiciary, with instructions to report the same on Monday next, at 11 o'clock.

Bills from the House of Representatives, of the following titles, were severally read the first time, to-wit:

1. An act for the benefit of the heirs of Joshua Wallace, deceased.
2. An act for the benefit of George S. Gravit, late Sheriff of Grant county.
3. An act for the benefit of the Somerset Academy.
4. An act for the benefit of Ira H. and William George.
5. An act to change the name of Nelly S. Craig.

Ordered, That said bills be read a second time.

The constitutional rule as to the second reading of said bills being dispensed with, they were referred—the 1st, 3d and 4th to the committee on the Judiciary; the 2d to the committee on Finance; and the 5th to the committee on Propositions and Grievances.

And then the Senate adjourned.

FRIDAY, FEBRUARY 4, 1848.

A message was received from the House of Representatives, announcing that they had received official information that the Governor had approved and signed enrolled bills, which originated in that House, of the following titles, to-wit:

- An act for the relief of George M. Green.
- An act for the benefit of Benjamin Berry, Jr., of Union county.
- An act to amend the several acts to suppress duelling.
- An act to incorporate the Columbian Mining Company, of Crittenden county.
- An act to incorporate the Stickney Mining Company, of Crittenden county.
- An act to change the time of holding the Clay Circuit Court, and for other purposes.
- An act for the benefit of John Thornhill, Betsey Thornhill, Priscilla Thornhill and Mahala Thornhill.

An act to increase the jurisdiction of the Trustees of the town of Carrolton.

An act for the benefit of Samuel Jarvis.

An act to amend an act, entitled, an act to incorporate the Boone Turnpike Road Company, and for other purposes.

An act to incorporate the Cove Spring Academy, in the county of Boyle.

An act for the benefit of W. B. Price, and others.

An act for the benefit of the widow and heirs of William Peters.

An act to divorce Susan F. Norrell, and for other purposes.

An act for the benefit of John H. Breeding and wife, and for other purposes.

An act for the benefit of Joseph Decre.

An act to run and establish the line between the counties of Livingston and Crittenden, and for other purposes.

An act for the benefit of the Church of Christ, on Chenowith's Run, in Jefferson county.

An act to amend an act, entitled, an act to incorporate the town of Lagrange, approved January 23, 1840.

Approved February 2, 1848.

Preamble and resolutions in relation to General John Caldwell, late Lieut. Governor of Kentucky.

Approved February 2, 1848.

That they had disagreed to a bill from the Senate, entitled, an act for the benefit of Henry Trunnell.

That they had passed bills from the Senate, of the following titles, to-wit:

An act divorcing Mary Fenly, of Shelby county.

An act to divorce Mary Howard, of Harlan county.

That they had passed bills of the following titles, to-wit:

An act to divorce Hugh and Rebecca Kirkpatrick.

An act for the benefit of Julia A. Williams.

An act for the divorce of William W. Hinds.

An act to divorce Mary Perkins.

An act to divorce William W. and Nancy Milliken.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading of said bills being dispensed with, they were referred to the committee on Religion.

1. Mr. Bradley presented the petition of Asa Sisk, who stands indicted in the Hopkins Circuit Court, under a charge of perjury, praying for the passage of a law granting him a change of venue.

2. Mr. White presented the petition of Abel Cobb, of Clay county, praying for the passage of a law divorcing him from his wife, Amelia Cobb.

Which petitions were each received and referred—the 1st to the committee on the Judiciary, and the 2d to the committee on Religion.

Mr. Hobbs presented to the Senate the annual report of the condition of the Kentucky and Louisville Mutual Insurance Company, which is as follows, to-wit:

THE KENTUCKY AND LOUISVILLE MUTUAL INSURANCE COMPANY.

Report of the condition, progress and affairs of said Company, up to the 30th of November, 1847, inclusive, viz:

Amount insured, 870 policies,	- - - - -	\$ 2,368,292 00
Deduct amount of policies discharged by transfer of property or otherwise,	- - - - -	715,400 00
		<u>\$1,652,892 00</u>
Amount insured on merchandize, 27 policies,	- - - - -	\$ 55,200 00
Deduct amount of merchandize, (18—9 expired,)	- - - - -	38,900 00
		<u>16,300 00</u>
Amount at risk,	- - - - -	<u>\$ 1,669 192 00</u>

Amount of premium notes,	- - - - -	\$ 147,005 90½
Deduct amount of premiums discharged,	- - - - -	37,908 88
		<u>\$ 109, 097 02½</u>

Received on premium notes,	- - - - -	\$ 19,138 92½
Received for 870 policies, \$1 each,	- - - - -	870 00
Received for 27 policies on merchandize,	- - - - -	27 00
Received for premium on merchandize,	- - - - -	1,061 12½
Received for dividends on bank stock,	- - - - -	226 87½
		<u>\$ 21,323 92½</u>

Paid expense account,	- - - - -	\$ 12,893 64
Paid for losses,	- - - - -	5,336 45
Paid commissions to agents,	- - - - -	280 34
Paid for stock in Bank of Kentucky,	- - - - -	2,250 00
Due from agents,	- - - - -	131 17½
Cash, balance,	- - - - -	432 32
		<u>\$ 21,323 92½</u>

BALANCES.

DEBITS.

To bills receivable,	- - - - -	\$ 90,198 71½
To cash,	- - - - -	432 32
To commission account,	- - - - -	280 34
To expense account,	- - - - -	12,893 64
To profit and loss account,	- - - - -	5,336 45
To stock in Bank of Kentucky,	- - - - -	2,250 00
To agents accounts,	- - - - -	131 17½
		<u>\$ 111,522 64½</u>

CREDITS.

By premium account,	- - - - -	\$ 109,097 02½
By extra premium account,	- - - - -	240 61½
By premium on merchandize,	- - - - -	1,061 12½
By policy account,	- - - - -	870 00
By policy on merchandize,	- - - - -	27 00
By dividend on bank stock,	- - - - -	226 87½
		<u>\$ 111,522 64½</u>

At a meeting of the President and Directors of the Kentucky and Louisville Mutual Insurance Company, at their office in the city of Louisville, on the 10th day of December, 1847, the President of this Company submitted to the Board, a statement of the condition, progress and affairs of this Company, which, after being read, examined and approved, was adopted; and the President is directed to furnish a copy of the same to the General Assembly of this State, agreeably to the requisition of the 22d section of the charter of this Company.

OFFICE OF THE KY. AND LOUISVILLE MUTUAL INSURANCE CO. }
Louisville, February 2, 1848. }

SIR:

In obedience to the requisition of the 22d section of the charter of this Company, and the order of the Board, I herewith transmit to you the foregoing report of the condition, progress and affairs of this Company, from the commencement of their business up to and including the 30th of November last, and request that you will lay the same before the body over which you preside.

I have the honor to be,

Very respectfully, &c.,

WILLIS STEWART, *President.*

Hon. A. DIXON,

Lieut. Governor and Speaker of the Senate.

Mr. Hardin, from the committee on the Judiciary, reported the following bills, to-wit:

1. A bill for the relief of the widow and children of the late William R. McKee, deceased.

2. A bill for the benefit of Isaac Bush.

3. A bill for the benefit of the heirs of Hubbard B. Smith, deceased.

Which bills were each read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading of said bills being dispensed with, the 1st was referred to the committee on the Sinking Fund, and the 2d and 3d were ordered to be engrossed and read a third time.

The constitutional rule as to the third reading of the 2d and 3d bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Hardin, from the committee on the Judiciary, to whom was referred a bill from the House of Representatives, entitled, an act concerning conveyances, reported the same with an amendment, which was concurred in.

Ordered, That said bill be read a third time, as amended.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bill, as amended, do pass, and that the title thereof be as aforesaid.

Mr. Hardin, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act to amend the law concerning

processioning lands, and to perpetuate the evidence of land boundaries, reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Hardin, from the same committee, to whom was referred a bill to incorporate the Missionary Society of the Methodist Episcopal Church South, reported the same without amendment.

Ordered, That said bill be engrossed and read a third time.

The constitutional rule as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A message was received from the Governor, by Mr. Reed, Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to divorce Joseph L. Craft from his wife, Hannah Craft, of Boone county.

An act for the benefit of Eveline Adams.

Approved February 3, 1848.

Mr. Rice, from the committee on the Judiciary, to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of the Judge of the 2d Judicial District, reported the same with an amendment, which was disagreed to.

Ordered, That said bill be read a third time.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Helm presented the petition of John H. Wakefield, and Roxana, his wife, praying for the passage of a law authorizing the said Roxana to unite with her said husband in the conveyance of a tract of land.

Which was received and referred to the committee on the Judiciary.

On the motion of Mr. Swope, the vote was reconsidered by which a bill to extend the Franklin and Crab Orchard turnpike road to Oregon, in Mercer county, was rejected, and said bill was placed in the orders of the day.

The following bills were reported from select committees, to-wit:

By Mr. Hobbs—1. A bill to revive and amend the charter of the Shepherdsville and Louisville Turnpike Road Company.

By Mr. Brien—2. A bill for the benefit of James M. Shelly and Robert Harreld.

Which bills were each read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading of said bills being dispensed with, the 1st was referred to the committee on Internal Improvement, and the 2d was amended and ordered to be engrossed and read a third time.

The constitutional rule as to the third reading of the 2d bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be amended by adding "and others."

And then the Senate adjourned.

SATURDAY, FEBRUARY 5, 1848.

A message was received from the House of Representatives, announcing that they had received official information that the Governor had approved and signed enrolled bills, which originated in that House, of the following titles, viz:

An act to incorporate the Flemingsburg and Poplar Plains Turnpike Road Company.

An act for the benefit of Mary Jane Eals, an idiot.

An act for the benefit of M. R. Stealey, late architect of the Penitentiary buildings.

An act for the benefit of William P. Ligon.

An act to incorporate the Lexington Female Institute.

An act for the benefit of the Sheriffs of Bourbon, Clarke, Lincoln and Fayette counties.

An act to amend an act, entitled, an act to incorporate a College in Union county, styled the Henry Clay Institute, approved February 7, 1845.

An act for the benefit of the late Sheriff, and his deputies, of Owen county.

An act to incorporate the Phi Mu Society, of Shelby College.

An act for the benefit of James G. Edens.

An act for the benefit of Franklin Darnell.

Approved February 3, 1848.

That they had passed a bill from the Senate, entitled, an act for the benefit of Calvin and Mary Johnson, of Clinton county, and Elizabeth Ann Deacon, of Bullitt county, with amendments, which were concurred in.

That they had passed bills of the following titles, to-wit:

1. An act for the benefit of the Maysville and Mountsterling turnpike road.
2. An act for the benefit of Nathaniel D. Burks and Magdalen Burks.
3. An act to divorce William Humphreys, of Hickman county.
4. An act for the benefit of David Snowden, former Sheriff of Owsley county.
5. An act for the benefit of Thomas B. Powell, of the county of Boone.
6. An act for the benefit of John Judy.
7. An act for the benefit of William D. Mitchell, Clerk of the Oldham Circuit and County Courts, and others.
8. An act for the benefit of Frederick Gosney.
9. An act for the benefit of Joel Sweeney.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional rule as to second reading of said bills being dispensed with, they were referred—the 1st to the committee on Internal Improvement; the 2d and 3d to the committee on Religion; the 7th to the committee on the Judiciary; and the 4th, 5th, 6th, 8th and 9th to the committee on Finance.

1. Mr. Rice presented the petition of sundry citizens of Greenup county, praying the Legislature to take some action in relation to the Owingsville and Big Sandy road.

2. Mr. Hardin presented the petition of James Calhoun, of Adair county, praying for the passage of a law authorizing the County Court of said county to make an allowance for the support of himself and his deaf and dumb daughter.

3. Mr. Hobbs presented the petition of James Trabue, of the city of Louisville, praying for an amendment to the charter of the Franklin Fire and Marine Insurance Company, of said city.

4. Mr. Evans presented the petition of John M. Garrison, of Allen county, praying for the passage of a law divorcing him from his wife, Patsey Garrison.

5. Mr. Bramlette presented the petition of Canon Worsham, of Wayne county, praying for the passage of a law allowing him to import a slave into this State, without incurring the penalties of the law of 1833, prohibiting the importation of slaves into this State.

6. Mr. Bradley presented the petition of James Pratt, of Union county, praying for the passage of a law permitting him to import into this State,

two slaves, without incurring the penalty of the law of 1833, prohibiting the importation of slaves into this State.

Which petitions were severally received and referred—the 1st to the committee on Internal Improvement; the 2d and 3d to the committee on the Judiciary; the 4th to the committee on Religion; and the 5th and 6th to the committee on Propositions and Grievances.

Mr. Hardin, from the committee on the Judiciary, to whom was referred a bill to incorporate the Grand Division of Sons of Temperance of the State of Kentucky, reported the same without amendment.

Ordered, That said bill be engrossed and read a third time.

The constitutional rule as to the third reading of the said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Hardin, from the same committee, to whom was referred bills from the House of Representatives, of the following titles, to-wit:

An act to legalize an order of the Fayette County Court at their July Term, 1847.

An act for the benefit of the Somerset Academy.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Rice, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act to amend the law regulating the taxation of costs in appeal cases, reported the same with an amendment, which was concurred in.

Ordered, That said bill be read a third time, as amended.

The constitutional rule as to third reading being dispensed with,

Resolved, That said bill, as amended, do pass, and that the title thereof be as aforesaid.

Mr. Swope, from the committee on Privileges and Elections, to whom was referred bills from the House of Representatives, of the following titles, to-wit:

1. An act concerning the election of electors.

2. An act to change the place of voting in an election precinct in the county of Henderson.

3. An act to establish two additional election precincts in Knox county.

Reported the same without amendment.

The first bill was re-committed to the same committee, and the 2d and 3d were amended, and ordered to be read a third time.

The constitutional rule as to the third reading of said bills being dispensed with,

Resolved, That said bills, as amended, do pass, and that the titles thereof be amended by adding, "and for other purposes."

Mr. Swope, from the same committee, to whom was referred bills from the House of Representatives of the following titles, to-wit:

An act to establish an additional precinct, in Wayne county.

An act to establish election precincts in the county of Mason.

An act to change the place of voting in the Christiansburg precinct, in Shelby county.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Boyd, from the committee on Religion, to whom was referred a bill from the House of Representatives, entitled, an act to divorce Hugh and Rebecca Kirkpatrick, reported the same without amendment.

The question being taken on reading the said bill a third time, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Boyd and Crenshaw, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Bradley,	Grey,	Russell,
Bramlette,	Hambleton,	Thomas,
Brien,	Hawkins,	Thurman,
Crenshaw,	Heady,	Walker,
Draffin,	Helm,	Wall,
English,	James,	White,
Evans,	Patterson,	Young—21.

Those who voted in the negative, were—

Messrs. Boyd,	McMillan,	Taylor,
Hobbs,	McNary,	Thornton,
Holloway,	Speed Smith,	Todd,
Marshall,	Swope,	Williams—12.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Boyd, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act to divorce Edmund R. and Elizabeth Sumpter, reported the same without amendment.

The question being taken on reading said bill a third time, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Taylor and Walker, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Bradley,	Grey,	Slaughter,
Bramlette,	Hambleton,	Thomas,
Brien,	Hawkins,	Thurman,
Crenshaw,	Heady,	Walker,
Draffin,	James,	Wall,
English,	Patterson,	White,
Evans,	Russell,	Young—21.

Those who voted in the negative, were—

Messrs. Boyd,	McNary,	Thornton,
Hobbs,	Speed Smith,	Todd,
Holloway,	Swope,	Williams—11.
McMillan,	Taylor,	

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Boyd, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of Eliza Cowen, reported the same without amendment.

Ordered, That said bill be read a third time.

Mr. Boyd, from the same committee, reported a bill to divorce Elizabeth Morgan, of Trimble county, and George W. Aydelott, of Hickman county, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Evans, from the committee on Internal Improvement, reported the following bills, to-wit:

A bill to amend the charter of the Turnpike Road Company between Bell's tavern and Bowlinggreen.

A bill to provide for the improvement of the road from Munday's landing to Harrodsburg.

Which bills were each read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. J. Speed Smith, from the same committee, reported the following bills, to-wit:

A bill to incorporate the Rough and Ready Turnpike Road Company, in Boone county.

A bill to incorporate the Hamilton and New Lancaster Turnpike Road Company, in Boone county.

Which bills were each read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading being dispensed with,

Ordered, That said bills be engrossed and read a third time.

Leave was given to bring in the following bills, to-wit:

On the motion of Mr. J. Speed Smith—1. A bill for the benefit of Alonso Sartin's heirs.

On the motion of Mr. McMillan—2. A bill for the benefit of the heirs of James B. Blair, deceased.

On the motion of Mr. James—3. A bill for the benefit of James Brien, late Sheriff of Marshall county.

On the motion of Mr. Evans—4. A bill for the benefit of Samuel E. Carpenter.

On the motion of Mr. Marshall—5. A bill to establish two election precincts in Taylor county.

On the motion of Mr. Williams—6. A bill to amend an act, entitled, an act to equalize the compensation for the collection of the revenue tax, approved day of , 1848.

The committee on the Judiciary was directed to prepare and bring in the 1st; the committee on Finance the 3d; the committee on Propositions and Grievances the 4th; Messrs. McMillan, Boyd and Williams were appointed a committee to prepare and bring in the 2d; Messrs. Marshall, Walker and Brien the 5th; Messrs. Williams, Boyd and McMillan the 6th.

Mr. Swope, from the committee on Internal Improvement, reported a bill to incorporate the Flemingsburg and Mt. Carmel Turnpike Road Company.

Mr. Heady, from a select committee, reported a bill to incorporate a company to turnpike a road from Mt. Eden to Shelbyville.

Which bills were each read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The Senate proceeded to the consideration of a bill to provide for a settlement with the present Keeper of the Penitentiary, the election of a Keeper or Keepers, and for other purposes.

The said bill was amended, and ordered to be engrossed and read a third time.

The constitutional rule as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

An engrossed bill, entitled, an act appropriating one thousand dollars to improve the navigation of the South fork of the Kentucky river, at or near the Narrows, was read the third time.

The question being taken on the passage of said bill, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Hardin and Swope, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Crenshaw,	Holloway,	Thornton,
Draffin,	McNary,	Thurman,
Evans,	Patterson,	Todd,
Grey,	Russell,	Walker,
Helm,	Speed Smith,	White,
Hobbs,	Taylor,	Williams—18.

Those who voted in the negative, were—

Messrs. Boyd,	Hardin,	McMillan,
Bradley,	Hawkins,	Swope,
Bramlette,	Heady,	Thomas,
Brien,	James,	Wall,
English,	Marshall,	Young—16.
Hambleton,		

Resolved. That the title of said bill be amended by striking out one thousand and inserting, in lieu thereof, six hundred.

A bill to incorporate the New Orleans and Ohio Telegraph Company, came up in the orders of the day.

The said bill was amended, and re-committed to the committee on Internal Improvement.

On the motion of Mr. Grey—Mr. Crenshaw was added to the select committee appointed in relation to the location of a Lunatic Asylum in the Green river or southern portion of the State.

Mr. Williams read and laid on the table the following joint resolutions, to-wit:

1. *Resolved by the General Assembly of the Commonwealth of Kentucky*, That by the 1st article and 8th section of the Constitution of the United States, Congress alone has the right to declare war; the language of the Constitution is, "the Congress shall have power to declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water."

2. *Resolved*, That we view with jealousy and distrust, any attempt on the part of the President of the United States, to wrest from Congress this important power—a power exercised by the kings and despots of the world—without the consent of the people, and to break down and destroy the liberties of mankind.

3. *Resolved*, That the act of the President, in ordering the troops then under the command of Gen. Taylor, to march on and take forcible possession of territory then in dispute between the two Republics, and before any declaration of war had been made by either government, was an overt act of war, and ought not to have been done without the consent of Congress.

4. *Resolved*, That there was nothing in the relations of the two countries, that made it necessary, on the part of the President, to act precipitately, and to violate the Constitution of the United States, or to usurp a power appertaining solely to a co-ordinate department of the Government.

5. *Resolved*, That as Congress was then in session, it was the duty of the President to have announced to that body the relations which existed between the two countries, and not by *his* mere motion, to have plunged the nation into a war with a neighboring sister Republic, which prudence and discretion might have prevented, and should have avoided.

6. *Resolved*, That although the President acted precipitately, and without the consent of Congress, yet Mexico had not been in the right, but had given to the United States just cause of complaint, and which might have justified Congress, in the event that the difficulty between the two nations could not have been settled upon honorable principles, in resorting to arms, as a last alternative.

7. *Resolved*, That by the usage and custom of nations, the United States may claim of Mexico, as her conqueror, indemnity for the expenses of the war; yet we would recommend to the treaty-making power of the Government, to whom alone the settlement of the question of indemnity belongs, the propriety of placing the United States upon high principles of justice and magnanimity, and not exact from a weak and fallen power, that which would be, in us, unjust to take, and to her dishonorable and ruinous to give.

8. *Resolved*, That we deprecate any attempt, on the part of the Government, to make Mexico an integral part of the United States, by conquest: 1st. Because it would incorporate, as a portion of the population of the U. States, between eight and nine million of people, of different races and language, without their consent, and with customs and habits dissimilar to our own, and with the most bitter prejudices excited in their bosoms against us and our institutions; and 2dly. Because it would be in violation of that great principle which lies at the foundation of our free institutions, and which proclaims the inalienable right of the people to select their own form of government, to change or abolish it, and to institute a new one, laying its foundation on such principles, and organizing its powers in such form, as to them shall seem most likely to effect their safety and happiness; and 3dly. Because it would subject the Government of the United States to millions of money, annually, and endanger the perpetuity of the Union, by giving the control of our government into the hands of a hostile people, composed of Indians, negroes and Spaniards, half bloods and mongrels.

9. *Resolved*, That the cold blooded murder of our countrymen at Goliad and the Alamo, while manfully struggling for independence, by that ferocious ruffian, Santa Anna, is still fresh in our recollection; and the admission of this same bloody tyrant, through the American fleet, into Mexico, by a free pass from the President of the United States, deserves the indignant censure of every American patriot; and when we call to mind the thousands and tens of thousands which have since been rallied by this bitter and determined foe of our country, and the precious blood of our countrymen spilt

upon the glorious fields of Buena Vista, at Cerro Gordo, at Contreras, at Cherubusco, at Molino del Rey, at Chapultepec, and at the city of Mexico, and now see this same desperate and determined leader, driven from the Capital to the mountains, where he now remains, ready to murder the Peace Commissioners of his own country, if they should dare to treat with us—we feel that the President of the United States has taken upon himself a most fearful responsibility, and will, and should, be held to a strict account by the American people.

10. *Resolved*, That we admire and approve the patriotism of those members of Congress, who, though they believed the war with Mexico was unconstitutionally commenced, yet voted ample supplies of men and means to relieve and sustain our gallant army, after the battles of Palo Alto and Resaca de la Palma; and since the recognition, by Congress, of the war, we approve of its vigorous prosecution for its only legitimate object—an honorable peace; but the people who fight the battles and pay the expenses of the war, are entitled to receive from the President a definite, a frank, and plain avowal of its ultimate objects, hitherto withheld.

11. *Resolved*, That we honor and admire the patriotism and chivalry of the brave young men of Kentucky, who, forgetting differences of political sentiment, and leaving all questions in regard to the commencement of the war, where they properly belong, rallied promptly around the flag of the nation, and gloriously defended it on the bloody fields of Monterey, Buena Vista, Vera Cruz, Cerro Gordo, and every other field on which they were engaged, with a heroism worthy the renown of our honored Commonwealth.

12. *Resolved*, That we consider the Wilmot Proviso as a firebrand thrown into the temple of freedom, which may consume and destroy it; and as this was done by one of the great leaders of the Democratic party, let that party answer to the country for the conduct of its associate and compeer.

The rule of the Senate being dispensed with, the said resolutions were taken up and referred to the committee on Federal Relations.

Ordered, That the Public Printer print 150 copies of said resolutions, for the use of the General Assembly.

On the motion of Mr. Evans, a bill from the House of Representatives, entitled, an act to prevent the wanton destruction of fish, was taken up from the table, and referred to the committee on Internal Improvement.

Mr. Bradley, from the joint committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, to-wit:

An act to extend the limits of the town of Boonville, in Owsley county, and for other purposes.

An act for the benefit of Joseph Riddle, of Cumberland county.

An act for the benefit of ministers of the gospel.

An act for the benefit of the Clerk of the Campbell Circuit Court.

An act in relation to the vacant lands in Wayne county, and for other purposes.

An act to incorporate the town of Piketon, in Pike county, and for other purposes.

An act for the benefit of Henry G. Black, Surveyor of Ballard county.

An act to allow an additional Justice of the Peace to the county of Fleming.

An act for the divorce of Jesse Fitzgerald.

An act to legalize the proceedings of the Whitley County Court in relation to the appointment of Jailer.

An act to amend the charter of the Paris Fire Company.

An act to amend an act to enlarge the powers of the Trustees of the town of Morganfield, and for other purposes, approved March 2, 1844.

An act authorizing the County Court of Woodford to lay an additional levy on slaves, for the purpose of paying an efficient patrol.

An act for the benefit of John B. Embree, of Monroe county.

An act to incorporate the town of Ringgold, in Pulaski county.

An act to incorporate the Pisgah Church, in the county of Woodford.

An act to amend the charter of the Licking Bridge Company.

An act to enlarge the powers of the Trustees of the town of Uniontown, in Union county.

An act to amend an act, entitled, an act to incorporate the Union White Sulphur Springs Company, approved February 11, 1836.

An act to incorporate the Lexington Cemetery.

And enrolled bills which originated in the Senate, of the following titles, to-wit:

An act to incorporate the Cave Hill Cemetery, of Louisville.

An act to divorce Sarah Lane and others.

An act divorcing Mary Fenly, of Shelby county.

An act to divorce Mary Howard, of Harlan county.

An act to amend an act, entitled, an act to incorporate the Dry Run and Covington Turnpike Road Company.

An act to incorporate the Trustees of the Bethlehem Cumberland Presbyterian Church, in Caldwell county.

An act for the benefit of William G. Pierce, of Trimble county.

An act for the benefit of William T. Long, of Clinton county.

And had found the same truly enrolled.

The said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approbation and signature. After a short time Mr. Bradley reported that the committee had performed that duty.

And then the Senate adjourned.

MONDAY, FEBRUARY 7, 1848.

A message was received from the House of Representatives, announcing that they had disagreed to the amendment proposed by the Senate, to a bill from that House, entitled, an act to increase the revenue.

That they had concurred in the amendments proposed by the Senate, to bills from that House, of the following titles, to-wit:

An act to amend the charters of the Louisville Turnpike Company, and the Shelbyville Turnpike Company.

An act to change a part of the State road in Marshall county between Gray's ferry and Paducah.

An act for the benefit of Shackleford & Pullen.

An act for the benefit of the Sheriffs of Nicholas, Barren, Floyd and Boone counties.

An act for the benefit of Clement Conner, late Sheriff of Montgomery county.

That they had passed bills from the Senate, of the following titles, to-wit:

An act to change the time of holding the Hopkins County Court.

An act authorizing the County Court of Nicholas to subscribe stock in the Carlisle and Sharpsburg Turnpike Road Company.

That they had passed bills of the following titles, to-wit:

1. An act to legalize the proceedings of the Graves County Court.

2. An act to legalize the proceedings of the Ohio County Court at their January Term, 1848, and for other purposes.

3. An act for the benefit of Davenport Jones, of Christian county.

4. An act to change the name of Henry Moore Henry to that of Francis Grey Henry.

5. An act allowing additional Justices of the Peace and Constables to certain counties.

6. An act to amend an act, entitled, an act for the benefit of Nancy Pointer, approved February 25, 1847.

7. An act for the benefit of the Sheriff of Cumberland county.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading of said bills being dispensed with, they were referred—the 1st, 2d, 3d and 6th to the committee on the Judiciary; the 4th and 5th to the committee on Propositions and Grievances; and the 7th to the committee on Finance.

Mr. Hobbs presented the petition of sundry citizens of the city of Louisville, praying for an amendment to the charter of the Frankfort and Louisville Railroad.

Which was received and referred to the committee on Internal Improvement.

A message, in writing, was received from the Governor, by Mr. Reed, Secretary of State.

The rule of the Senate being dispensed with, the said message was taken up, and read as follows, to-wit:

Gentlemen of the Senate and House of Representatives:

I avail myself of the earliest opportunity to lay before you a letter received last Saturday evening from Maj. Gen. Zachary Taylor, in answer to a resolution of the General Assembly inviting him to visit the Capital of Kentucky during the present session of the Legislature.

WM. OWSLEY.

FEBRUARY 7, 1848.

BATON ROUGE, LA. }
January 24, 1848. }

SIR: I have the honor to acknowledge the receipt of your Excellency's letter of the 12th inst., enclosing to me a copy of the preamble and resolutions adopted by the Legislature of Kentucky, in which they have been pleased to invite me to visit that body during its present session.

I beg to assure your Excellency that this high evidence of the kind regard which exists towards me among my fellow citizens of Kentucky, has been received by me with emotions of the liveliest gratitude; and I have to request that you will convey to them, through this distinguished body, my profound acknowledgments for so unmerited an honor.

A just sense of my obligations to your patriotic State, and a recollection of the many old friends and acquaintances that I have among you, strongly urge me to yield to the flattering request contained in the resolutions before me; but, I regret to inform you, that the circumstances under which my present leave of absence was obtained, render it so clearly proper, in my opinion, that I should remain in or near this place until I am again required for duty, that I am constrained to forego this pleasure. With my best wishes for your health and success through life, I have the honor to be,

With great respect,

Your Excellency's ob't serv't,

Z. TAYLOR.

To his Excellency, Wm. Owsley, Governor of Kentucky, Frankfort, Kentucky.

The Speaker laid before the Senate a communication from the President of the Board of Internal Improvement, which is as follows, to-wit:

OFFICE OF THE BOARD OF INTERNAL IMPROVEMENT. }
February 7th, 1848. }

Please lay the enclosed before the Senate.

I have the honor to be,

Your ob't serv't,

THOMAS METCALFE, P. B. I. I.

Hon. A. DIXON,

Lieut. Governor and Speaker of the Senate.

OFFICE OF BOARD OF INTERNAL IMPROVEMENT, }
February 6th, 1848. }

In obedience to the joint resolutions of the Senate and House of Representatives, approved the 29th ult., requiring the Board of Internal Improvement "to engage the services of a competent engineer, and ascertain the cost of repairing and putting in a condition, according to the most approved plan of running steam-cars, the Lexington and Ohio Railroad," &c., the Board called upon C. N. Warren, Esq., Civil Engineer, for the purpose of obtaining from him such information as he could furnish, from certain surveys and documents, understood to be in his possession, applicable to the case; and we are indebted to the politeness of Mr. Warren for the information and estimates contained in the accompanying letter over his signature. This estimate of Mr. Warren is for a line of road commencing at the wharf on the river, and running along the present track on Broadway to a point near its junction with Main street—thence, passing through a tunnel under the Turnpike, to the side of the cliff next to the river—thence up the side of the cliff, passing below the Cemetery, and continuing until it connects the new with the old line, at the distance of three and a half miles.

Still further to enable the Board to report whether there was not "a more practicable route than the present, of reaching the Kentucky river," we availed ourselves of the services of Thomas Conn, Esq., Superintendent of the Kentucky River Navigation, who, with the assistance of some chain carriers and rodmen, made an examination of three different routes, as will be seen in the accompanying report over his signature.

From the report of Mr. Conn, it will be seen that the most practicable route for approaching the river is at a point nearly opposite Mrs. Hickman's stable, situated on the slope of the hill on the side of the Turnpike. By making this point the terminus of the Railroad upon the river, the cost of construction will be many thousand dollars less than by running it to the present wharf, or to any other point within the limits of Frankfort, *provided* no difficulty should arise in acquiring the right of way through the streets, and in obtaining lands suitable for a wharf, warehouse, &c. If the object is to connect the Railroad, belonging to the State, with her slackwater navigation, without regard to the contemplated Louisville and Frankfort Railroad, it is not to be doubted that this route and this terminus of it is much the most fit and suitable that can be had. It is the best grade, the shortest and cheapest route, dispensing with any tunnel, a good location for a wharf, and such other improvements as may be required. It appears that by the charter granted to the Louisville and Frankfort Railroad Company, the State has surrendered her right of way from St. Clair street, in front of the Capitol, along Broadway to the river, together with her lands, warehouse and wharf, to that Company—thus disconnecting her own Railroad from her slackwater navigation, at the point where the Railroad terminated. She has now no alternative but to connect the road with the river near the stable alluded to, or, at an increased cost, to reach some less fit and suitable point.

In reply to the second resolution, requiring the Board to "ascertain, by bids or otherwise, what price can be had for the Railroad, and to give their opinion of the probable effect which its sale would have upon the profits of the navigation of the Kentucky river," the Board would respectfully remark, that it will not be practicable to obtain and communicate the information required, during the present session of the Legislature, as fully and sat-

isfactorily as the resolution contemplates. This part of their duty will be performed, and much more exact and minute estimates prepared for their report to the next session. It is obvious, however, that a surrender of the Railroad to a private Company might have a deleterious effect upon the navigation, unless it is prevented by judicious restrictions in the charter, and a reservation, on the part of the State, of the right, thereafter, to purchase out the individual or other stockholders, upon such equitable terms and conditions as the Legislative wisdom may dictate, when granting the charter. The interest of the Railroad Company may be made to conflict with that of the navigation; and the State authorities, not having any control over the former, which is a great feeder to the latter, and part and parcel of the same line of improvement, the State would be apt to lose by such a conflict. For instance, at this time, one-half of the whole cost of transportation between Lexington and Louisville is paid to the Railroad Company—their line of improvement being but 28 miles in length, and that of the State, from Frankfort to the mouth of Kentucky river, 66 miles, besides as many miles more upon the Ohio river. This allotment to the Railroad is more than its equitable proportion of what is received upon the whole line. But by a firm, and not an illiberal, administration of the river improvement, those conflicting interests may be reconciled and made to operate harmoniously enough, by terminating the road at the point intimated, and thereby giving a preference to the navigation in the reception of freight from the cars, over the Louisville and Frankfort Railroad.

How far the honorable Senate and House of Representatives may deem it expedient and proper to guard the interests of the State against the hurtful competition herein intimated, is for their honors to determine. It is believed to be the general practice in other States, and perhaps in all countries, when granting charters to companies to make lines of improvement, in competition with the improvements of the State, carefully to guard against hurtful competition. For instance, if, in New York, a charter is granted to a company to run a Railroad parallel with a canal owned by the State, the former is restricted against the transportation of freight, except when the canal navigation is obstructed by ice or otherwise. In any event, the Kentucky river will have to yield up the passenger custom to the Louisville Railroad, the tolls upon which, during the past year, was \$15,775 88, and was much less than it would have been if the steamers had been running regularly every day of the week—the gross amount of loss to the steamers would have been, during the same period, between three and four times the above sum: all of which operates as a serious drawback upon the full and entire success of the navigation: for it is a matter of the utmost importance, that the business upon the river be increased, instead of diminishing it.

To prove the importance of connecting the Lexington Railroad directly with the river, it may be added, that the cost, at present, of transportation of freight and passengers, between the river and the top of the hill where the cars stop, according to the information of the Board, exceeds \$7,000 per annum, besides the increased cost of repairing the Versailles turnpike, consequent upon the destruction occasioned by the cars and hacks of the Railroad. The indispensable necessity for such direct connection will be the more apparent, when we reflect that the City of Lexington, and adjacent country, will have to be supplied with the article of coal, taken from the river wharf upon this Railroad.

THOS. METCALFE, *P. B. I. I.*

To Board of Internal Improvement of Kentucky :

SIRS :—In obedience to your orders, to examine the various routes by which a Railroad may be constructed from the town of Frankfort, to connect with the present Lexington and Ohio Railroad, so as to avoid the necessity of using an inclined plane, and the probable cost of construction, before giving the result of my examinations, I beg leave to state to the Board, that, from the hurried manner in which the surveys were made, that great accuracy could not be observed, and hence the following costs of graduation are only approximate.

The route first examined is the one leading up Brown's bottom, in the direction of the Cove Spring. The elevation of the hill, on this route, (allowing a cut of 15 feet at the top of hill,) is 237 feet; and the distance two miles and 8-10ths, which will give a grade of $84\frac{1}{2}$ feet to the mile. The cost of graduation, on the above 2 and 8-10th miles, would be between fifteen and twenty thousand dollars per mile. The heavy grade on this line will preclude all idea of constructing a road on this route.

The next route examined, is the one leaving the present road $4\frac{1}{2}$ miles from Frankfort, by the Railroad, thence down Vaughn's branch to O'Hara's farm, thence up a small branch, (heading in O'Hara's field,) thence across a low gap and down one of the ravines of Yeatman's branch, thence down Yeatman's branch to a point opposite Macklin's Pork House, thence down the Kentucky river to the crossing of Main and High streets, thence to the Railroad in Broadway street.

The above route I consider the best and most practicable route of any ety surveyed, on account of the grade, which will not exceed 67 feet to the level of Broadway street; and if the road should stop at Mrs. Hickman's Stable, in the town of Frankfort, on the Kentucky river, the grade will not exceed 58 feet to the mile. The whole distance from the Railroad, at the turning off point, is not less than 23,400 feet, or 4 miles and $43\text{-}100$ to the crossing of Broadway and High streets.

The cost of graduation, on this line, will depend upon the manner of constructing the road. If the point of rock between Yeatman's branch and the Kentucky river shall have to be tunnelled, the cost will probably be \$12,000 per mile, and the grades as above stated. There is another plan for constructing the road, which, if found practicable upon minute examination, will cost from \$1,500 to \$2,000 per mile less than the plan for tunnelling, and the grade (from the increased distance,) lessened to about 50 feet or less, to the mile.

There is one other line examined, which leaves the last line above, 4,600 feet from the beginning, and diverges to the right hand, and thence across a gap in Gen. Dudley's field, and down Yeatman's branch to a junction with the other line. The grade, on this line, would be about 75 feet to the mile. The cost of graduation about the same as the other, the distance being the same.

All of which is most respectfully submitted.

THO. CONN.

TO GEN. METCALFE,

President of the Board of Internal Improvement:

To re-lay the track of the Railroad from Lexington to Frankfort, with a heavy rail, it would require, for each mile, as follows:

9,806 tons of iron, at \$65,	-	-	-	-	-	-	-	\$ 6,373 90
5 tons cast iron chains, at \$80,	-	-	-	-	-	-	-	400 00
1 ton wrought iron spikes at \$120,	-	-	-	-	-	-	-	120 00
2,112 cross-ties, locust, at 35 cents,	-	-	-	-	-	-	-	739 20
5,000 feet oak hewed sills, at 5 cents,	-	-	-	-	-	-	-	250 00
Labor of laying track, \$2 50 per rod,	-	-	-	-	-	-	-	700 00
Total, per mile,	-	-	-	-	-	-	-	\$ 8,583 10
This amount for 28½ miles,	-	-	-	-	-	-	-	\$ 244,618 35
Amount necessary for grading 3½ miles of new road, at \$10,000,	-	-	-	-	-	-	-	35,000 00
Depots at Frankfort,	-	-	-	-	-	-	-	5,000 00
Wharf at the river, say	-	-	-	-	-	-	-	5,000 00
Right of way, say	-	-	-	-	-	-	-	3,000 00
Contingencies, including superintendence, &c., &c.,	-	-	-	-	-	-	-	7,381 65
								\$ 300,000 00

I have examined the route down Yeatman's branch, diverging from the present line of road, 3 miles from town, and ascertained the distance to be 3½ miles, and the fall 283 feet. This would allow us to descend into the level of the town of Frankfort by a grade of 80 feet to the mile, which is available for engines of heavy weight. The cost of preparing a road bed for that line, I have estimated at \$10,000 per mile, not having had time to make accurate calculations from an instrumental survey. The estimate for right of way is also not based upon any fixed data, but assumed as a maximum. The difficulty of reaching the river, to avoid great labor of transshipment of freight, is well known to you: and at present, I am not prepared to suggest any plan to reduce this labor to the least possible amount.

Very respectfully,

C. N. WARREN.

Ordered, That said report be referred to the committee on the Sinking Fund, and that the Public Printer print 150 copies thereof, for the use of the General Assembly.

Mr. James, from the committee on Finance, to whom was referred a bill for the benefit of Jacob Ellington, reported the same with an amendment, which was concurred in.

Ordered, That said bill be engrossed and read a third time.

The constitutional rule as to the third reading of the said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. James, from the same committee, reported the following bills, to-wit:

A bill for the benefit of the Sheriffs of Hopkins and Crittenden counties, and the late Sheriff of Hickman county.

A bill for the benefit of Catharine Montgomery, of Washington county, and John H. Butler, of Hickman county.

A bill for the benefit of Aaron Yager, of Boone county.

Which bills were each read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bills being dispensed, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. J. Speed Smith, from the committee on Internal Improvement, to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of the Maysville and Mountsterling turnpike road, reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. J. Speed Smith, from the same committee, reported the following bills, to-wit:

A bill to incorporate the Lancaster Cemetery Company.

A bill appropriating the dividends on the turnpike road leading from Elizabethtown to the Tennessee line, to the completion of said road.

A bill to incorporate the Danville and Kentucky River Railroad Company.

Which bills were each read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A message was received from the House of Representatives, by Mr. Towles, Mr. Moore and Mr. Hughes:

Mr. Speaker: I am instructed by the House of Representatives to inform the Senate that a resolution has been adopted by that body, tendering to the Rev. R. J. Breckinridge, Superintendent of Public Instruction, the use of their Hall, for the purpose of delivering, to the members of the General Assembly, an address upon education generally; the best and most practicable system of common schools, adapted to the wants and resources of this Commonwealth, and matters connected with the duties of his office; and to respectfully invite the Senate to be present, on Tuesday, the 8th, at 3 o'clock, and to hear said address.

On the motion of Mr. Evans,

Ordered, That said invitation be accepted, and that Mr. Evans inform the House of Representatives thereof.

Mr. Evans, from the committee on Education, to whom was referred a bill from the House of Representatives, entitled, an act to incorporate

the Trustees of the Covington Female Academy, reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Evans, from the same committee, reported a bill to amend the Common School law, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Hardin, from the committee on the Judiciary, to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of William D. Mitchell, Clerk of the Oldham Circuit and County Courts, and others, reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Hardin, from the same committee, reported the following bills, viz:

A bill regulating the terms of the Circuit and County Courts of Taylor, and for other purposes.

A bill to incorporate Lebanon Lodge.

A bill for the benefit of James L. Ballard and Matilda, his wife.

A bill for the benefit of the widow and heirs of H. B. Webb, deceased.

A bill to amend the charter of the Franklin Fire and Marine Insurance Company, of Louisville.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Walker, from the committee on Propositions and Grievances, to whom was referred bills from the House of Representatives, of the following titles, to-wit:

An act for the benefit of James Jenkins, of Warren county.

An act to change the name of Nelly S. Craig.

An act allowing additional Justices of the Peace to Morgan, Owsley, Hardin and Henry counties.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as afore-said.

Mr. Walker, from the same committee, reported a bill laying off the county of Trimble into four Constable's Districts, and for other purposes, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as afore-said.

Mr. Walker, from the same committee, to whom was referred the petition of Canon Worsham, reported the following resolution thereon, to-wit:

Resolved, That said petition be rejected.

Which was concurred in.

The following bills were reported from select committees, to-wit:

By Mr. Grey—1. A bill to provide for the location and erection of the Green River Lunatic Asylum.

By Mr. Marshall—2. A bill establishing election precincts in Taylor county.

By Mr. Slaughter—3. A bill to incorporate the Bardstown and Salt River Slackwater Navigation Company.

By Mr. Williams—4. A bill to amend an act, entitled, an act to equalize the compensation for the collection of the revenue tax.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading of said bills being dispensed with, the 1st was placed in the orders of the day; the 3d was referred to the committee on Internal Improvement; the 4th to the committee on Finance; and the 2d was ordered to be engrossed and read a third time.

The constitutional rule as to the third reading of the 2d bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as afore-said.

Ordered, That the Public Printer print 150 copies of the first bill, for the use of the General Assembly.

A bill from the House of Representatives, entitled, an act to increase the revenue, together with the amendment proposed thereto by the Senate, were referred to the committee on Finance.

A bill from the House of Representatives, entitled, an act for the benefit of Eliza Cowen, was read the third time.

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Preamble and resolutions in relation to the vote of thanks, by the Senate, to the Society of Friends, of the city of Philadelphia, for their donation to each member of a copy of *Dymond on War*, read and laid on the table by Mr. English, on the 25th of January last, were taken up.

The question being taken on the adoption of said preamble and resolution, it was decided in the negative, and so the said preamble and resolution was rejected.

The yeas and nays being required thereon by Messrs. English and Evans, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Bradley,	Heady,	Thurman,
Brien,	James,	Young—8.
English,	Marshall,	

Those who voted in the negative, were—

Messrs. Boyd,	Hawkins,	Speed Smith,
Bramlette,	Hobbs,	Swope,
Crenshaw,	Holloway,	Taylor,
Draffin,	McMillan,	Todd,
Evans,	McNary,	Wall,
Grey,	Russell,	White,
Hambleton,	Slaughter,	Williams—22.
Hardin,		

Leave was given to bring in the following bills, to-wit:

On the motion of Mr. Draffin—1. A bill to amend the law in relation to the Public Library.

On the motion of Mr. English—2. A bill for the benefit of Silas W. Hunt, Surveyor of Henry county.

On the motion of Mr. Evans—3. A bill to amend the law conferring equitable jurisdiction on Justices of the Peace in this Commonwealth.

On the motion of Mr. J. Speed Smith—4. A bill authorizing an exchange of public documents with the sister States of this Union.

On the motion of Mr. Young—5. A bill for the benefit of James Suduth, of Owingsville.

On the motion of Mr. Boyd—6. A bill to amend the laws concerning usury.

The committee on the Public Library was directed to prepare and bring in the 1st; the committee on Propositions and Grievances the 2d and 5th; the committee on the Judiciary the 3d; Messrs. J. Speed Smith, Hobbs

and Slaughter were appointed a committee to prepare and bring in the 4th; and Messrs. Boyd, Williams and McMillan the 6th.

On the motion of Mr. Williams, the resolution fixing a day for the final adjournment of the General Assembly, was taken up from the table.

The said resolution was amended to read as follows, to-wit:

Resolved by the General Assembly of the Commonwealth of Kentucky, That when the Legislature adjourns on the 15th day of February, that it adjourn without day.

Mr. Helm moved to lay the said resolution on the table until the 11th inst.

The question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Bradley and Boyd, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Boyd,	Hawkins,	Speed Smith,
Bramlette,	Helm,	Swope,
Brien,	Hobbs,	Taylor,
Crenshaw,	Holloway,	Todd,
Draffin,	McMillan,	Walker,
Grey,	McNary,	Wall,
Hambleton,	Russell,	White—23.
Hardin,	Slaughter,	

Those who voted in the negative, were—

Messrs. Bradley,	Heady,	Thurman,
English,	James,	Williams,
Evans,	Marshall,	Young—9.

And then the Senate adjourned.

TUESDAY, FEBRUARY 8, 1848.

A message was received from the House of Representatives, announcing that they had passed bills of the following titles, to-wit:

1. An act for the benefit of Elijah Hansbrough, of Hardin county.
2. An act to establish a Police Court in the town of Mt. Vernon.
3. An act to establish a State road from Morganfield, through Smithland, to Paducah.

4. An act to legalize the election of the Trustees of the town of Owenboro'.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading of said bills being dispensed with, they were referred—the 1st to the committee on Propositions and Grievances; the 2d and 4th to the committee on the Judiciary; and the 3d to the committee on Internal Improvement.

1. Mr. Crenshaw presented the petition of Bennet W. Terry, administrator of Washington Wines, deceased, praying for the passage of a law authorizing the sale of the tract of land upon which the widow of said Wines now resides.

2. Mr. Fox presented the petition of sundry citizens of the town of Stanford, praying for the passage of a law amending the charter of said town.

Which petitions were each received and referred—the 1st to the committee on the Judiciary, and the 2d to a select committee of Messrs. Fox Walker and Todd.

On the motion of Mr. Evans, leave was given to bring in a bill to amend the several acts in relation to the lands belonging to the Newport Seminary, and for other purposes; and the committee on Education was directed to prepare and bring in the same.

The following bills were reported, to-wit:

By Mr. Patterson, from the committee on the Judiciary—A bill for the benefit of Captains Adam D. Stewart and S. L. Anderson, of the United States Army, now in Mexico.

By Mr. Hardin, from the same committee—A bill for the benefit of Theodore L. Burnett.

By same—A bill to amend an act, entitled, an act to establish the town of Petersburg, in Boone county, approved January 7, 1839.

By Mr. Walker, from the committee on Propositions and Grievances—A bill for the benefit of James Sudduth.

By Mr. Evans, from the committee on Education—A bill to amend the several acts concerning the Newport Seminary, and for other purposes.

By Mr. Helm, from a select committee—A bill to incorporate the Elizabethtown Female Academy.

By Mr. McMillan, from a select committee—A bill for the benefit of the heirs of James B. Blair, deceased.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Hardin, from the committee on the Judiciary, to whom was referred a bill regulating the mode of proceeding against decedents estates, reported the same without amendment.

Ordered, That said bill be engrossed and read a third time.

The constitutional rule as to the third reading of the said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Hardin, from the same committee, to whom was referred bills from the House of Representatives, of the following titles, to-wit:

An act to amend an act to regulate the administration and settlement of estates.

An act for the benefit of the heirs of Joshua Wallace, deceased.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Wall, from the same committee, reported a bill to allow an additional term to the Harrison Circuit Court, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading being dispensed with, said bill was amended and ordered to be engrossed and read a third time.

The constitutional rule as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be amended to read, "An act to allow additional terms to the Harrison and Estill Circuit Courts."

Mr. J. Speed Smith, from the committee on Internal Improvement, to whom was referred a bill to revive and amend the charter of the Shepherdsville and Louisville Turnpike Road Company, reported the same without amendment.

Ordered, That said bill be engrossed and read a third time.

The constitutional rule as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Walker, from the committee on Propositions and Grievances, reported a bill for the benefit of Silas W. Hunt, Surveyor of Henry county, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading being dispensed with, said bill was amended and ordered to be engrossed and read a third time.

The constitutional rule as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be amended to read, "An act for the benefit of the Surveyors of Henry and Lewis counties."

Mr. James, from the committee on Finance, to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of the Sheriff of Cumberland county, reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. James, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of David Snowden, former Sheriff of Owsley county, reported the same with amendments, which were concurred in.

Ordered, That said bill be read a third time, as amended.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bill, as amended, do pass, and that the title thereof be amended by adding, "and for other purposes."

Leave was given to bring in the following bills, to-wit:

On the motion of Mr. Boyd—1. A bill for the benefit of John P. Pell, Surveyor of Lewis county.

On the motion of Mr. Swope—2. A bill authorizing the County Court of Owen to change the State road from New Liberty to Cincinnati.

Messrs. Boyd, Draffin and Evans were appointed a committee to prepare and bring in the 1st, and the committee on Internal Improvement was directed to prepare and bring in the 2d.

Mr. Helm moved that the Senate resolve itself into a committee of the whole House, on the State of the Commonwealth, on the bill to fix the ratio and apportion the representation in the Senate and House of Representatives, for the ensuing four years.

The question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Holloway and Helm, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Boyd,
Bradley,
Draffin,

Hawkins,
Helm,
Hobbs,

Slaughter,
Speed Smith,
Thornton,

English,
Evans,
Hardin,

Holloway,
McMillan,
Patterson,

Todd,
Williams—17.

Those who voted in the negative, were—

Messrs. Bramlette,
Brien,
Crenshaw,
Fox,
Grey,
Hambleton,

Heady,
James,
Marshall,
McNary,
Russell,
Swope,

Taylor,
Thurman,
Walker,
Wall,
White,
Young—18.

On the motion of Mr. Helm,

Ordered, That a message be sent to the House of Representatives to inform them that the Senate is now ready, in pursuance to the joint order of the day, to proceed to the election of Public Officers; and Mr. Helm was directed to carry said message.

A message was received from the House of Representatives, by Messrs. Towles, Bush and Pratt, announcing that they are now ready to proceed to said election.

Mr. Helm nominated Mr. James Davidson for the office of Treasurer.

Ordered, That Messrs. Helm, Hardin and James inform the House of Representatives thereof.

A message was received from the House of Representatives, by Mr. Hughes, announcing that Mr. James Davidson stood in nomination before that House for State Treasurer.

The vote of the Senate was unanimous for Mr. Davidson.

Messrs. Helm, Bradley and Hawkins were appointed a committee to compare and report the joint vote. After a short time Mr. Helm reported that James Davidson had received the unanimous vote of both Houses.

Whereupon he was declared duly elected to the office of Treasurer of this Commonwealth for the ensuing year.

Mr. Hawkins nominated Albert G. Hodges & Co. for the office of Public Printer.

Mr. Draffin nominated H. M. McCarty & Co.

Ordered, That Messrs. Helm, Hardin and James inform the House of Representatives thereof.

A message was received from the House of Representatives, by Mr. Haggard, announcing that A. G. Hodges & Co. and H. M. McCarty & Co., stood in nomination before that House for the office of Public Printer.

The Senate then proceeded to vote, and it stood thus:

Those who voted for A. G. Hodges & Co., were—

Messrs. Boyd,
Bramlette,
Crenshaw,

Helm,
Henderson,
Hobbs,

Speed Smith,
Taylor,
Thornton,

Evans,
Fox,
Grey,
Hambleton,
Hardin,
Hawkins,

Holloway,
McNary,
Patterson,
Russell,
Slaughter,

Todd,
Walker,
Wall,
White,
Williams—25.

Those who voted for H. M. McCarty & Co., were—

Messrs. Bradley,
Brien,
Draffin,
English,

Heady,
James,
Marshall,
McMillan,

Rice,
Thurman,
Young—11.

For Mr. Tanner—Mr. Swope.

Messrs. Helm, Hardin and James were appointed a committee to compare and report the joint vote.

Mr. Helm reported that it stood thus:

For A. G. Hodges & Co.,	-	-	-	-	79
For H. M. McCarty & Co.,	-	-	-	-	50
For Wm. Tanner,	-	-	-	-	1

A. G. Hodges & Co. having received a majority of all the votes given, were declared duly elected Public Printers for the ensuing year.

Mr. Evans nominated Wm. D. Robertson for the office of Public Librarian.

Mr. Fox nominated Richard D. Harlan.

Mr. Bramlette nominated Charles F. Reynolds.

Ordered, That Messrs. James, Evans and Boyd inform the House of Representatives thereof.

A message was received from the House of Representatives, by Mr. Haggard, announcing that Richard D. Harlan, John A. Monroe, John B. Hayden, Wm. D. Robertson and Charles F. Reynolds, stood in nomination before that House for the office of Public Librarian.

Mr. Swope nominated John A. Monroe.

Mr. Draffin nominated John B. Hayden.

A communication from Mr. Hayden was read at the Clerk's table.

Ordered, That Messrs. Swope and Draffin inform the House of Representatives that Messrs. Monroe and Hayden are in nomination before the Senate.

Upon taking the vote it stood thus:

Those who voted for Mr. Robertson, were—

Messrs. Crenshaw,
Draffin,
Evans,
Hardin,

Henderson,
Holloway,
Taylor,
Thornton,

Todd,
Walker,
White—11.

Those who voted for Mr. Harlan, were—

Messrs. Boyd,	Helm,	Speed Smith,
Fox,	Hobbs,	Thurman,
Grey,	McMillan,	Wall,
Hambleton,	Patterson,	Williams,
Hawkins,	Russell,	Young—17.
Heady,	Slaughter,	

Those who voted for Mr. Reynolds, were—

Messrs. Bramlette, McNary—2.

Those who voted for Mr. Monroe, were—

Messrs. Bradley,	Marshall,	Swope,
English,	Rice,	Thomas—7.
James,		

For Mr. Hayden—Mr. Brien.

Messrs. Helm, Hardin and James were appointed to compare and report the joint vote. Mr. Helm reported that it stood thus:

For Mr. Robertson,	-	-	-	-	-	34
For Mr. Harlan,	-	-	-	-	-	41
For Mr. Reynolds,	-	-	-	-	-	4
For Mr. Monroe,	-	-	-	-	-	49
For Mr. Haydon,	-	-	-	-	-	4

No person received a majority of all the votes given.

A message was received from the House of Representatives, by Mr. Haggard, announcing that the names of Mr. John B. Hayden and Charles F. Reynolds had been withdrawn from nomination.

The said names were withdrawn in the Senate.

The Senate proceeded to vote a second time for Librarian, and it stood thus:

Those who voted for Mr. Robertson, were—

Messrs. Bramlette,	Henderson,	Todd,
Crenshaw,	Holloway,	Walker,
Draffin,	Taylor,	White—11.
Evans,	Thornton,	

Those who voted for Mr. Harlan, were—

Messrs. Boyd,	Heady,	Slaughter,
Fox,	Helm,	Speed Smith,
Grey,	Hobbs,	Thurman,
Hambleton,	McMillan,	Wall,
Hardin,	Patterson,	Williams,
Hawkins,	Russell,	Young—18.

Those who voted for Mr. Monroe, were—

Messrs. Bradley,	James,	Rice,
Brien,	Marshall,	Swope,
English,	McNary,	Thomas—9.

Messrs. Helm, Hardin and James were appointed a committee to compare and report the the joint vote. Mr. Helm reported that the joint vote stood thus :

For Mr. Robertson,	-	-	-	-	-	-	34
For Mr. Harlan,	-	-	-	-	-	-	42
For Mr. Monroe,	-	-	-	-	-	-	54

No one having received a majority of all the votes given, the Senate voted a third time for Public Librarian, and it stood thus :

Those who voted for Mr. Robertson, were—

Messrs. Bramlette,	Henderson,	Thornton,
Crenshaw,	Holloway,	Walker,
Draffin,	Taylor,	White—10.
Evans,		

Those who voted for Mr. Harlan, were—

Messrs. Boyd,	Helm,	Speed Smith,
Fox,	Hobbs,	Thurman,
Grey,	McMillan,	Todd,
Hambleton,	McNary,	Wall,
Hardin,	Patterson,	Williams,
Hawkins,	Russell,	Young—20.
Heady,	Slaughter,	

Those who voted for Mr. Monroe, were—

Messrs. Bradley,	James,	Swope,
Brien,	Marshall,	Thomas—8.
English,	Rice,	

Messrs. Helm, Hardin and James were appointed a committee to compare and report the joint vote.

A message was received from the House of Representatives, announcing that they had adopted a resolution in relation to the election of Librarian.

Which was twice read and concurred in.

Mr. Helm reported that the joint vote stood thus :

For Mr. Robertson,	-	-	-	-	-	-	32
For Mr. Harlan,	-	-	-	-	-	-	41
For Mr. Monroe,	-	-	-	-	-	-	58

No person received a majority of all the votes given.

Mr. Evans withdrew the nomination of Mr. Robertson.

The Senate then voted a third time for Librarian, and it stood thus :

Those who voted for Mr. Harlan, were—

Messrs. Boyd,	Heady,	Speed Smith,
Bramlette,	Helm,	Taylor,
Crenshaw,	Henderson,	Thornton,
Draffin,	Hobbs,	Thurman,
Evans,	Holloway,	Todd,
Fox,	McMillan,	Walker,

Grey,
Hambleton,
Hardin,
Hawkins,

McNary,
Patterson,
Russell,
Slaughter,

Wall,
White,
Williams,
Young—30.

Those who voted for Mr. Monroe, were—

Messrs. Bradley,
Brien,
English,

James,
Marshall,
Rice,

Swope,
Thomas—8.

Messrs. Helm, Hardin and James were appointed to compare and report the joint vote. Mr. Helm reported that it stood thus:

For Mr. Harlan,	-	-	-	-	-	66
For Mr. Monroe,	-	-	-	-	-	65

Mr. R. D. Harlan having received a majority of all the votes given, was duly elected Librarian for the ensuing year.

Mr. Todd nominated Mr. Nathan Payne for the office of Director of the Lunatic Asylum.

Mr. McMillan nominated Mr. Richard A. Buckner.

Ordered, That Messrs. Todd and McMillan inform the House of Representatives thereof.

A message was received from the House of Representatives, by Mr. Haggard, announcing that the same persons stood in nomination before that House.

Upon taking the vote it stood thus:

Those who voted for Mr. Payne, were—

Messrs. Brien,
Crenshaw,
Draffin,
English,
Hardin,
Hawkins,
Heady,

Helm,
Henderson,
Hobbs,
Holloway,
McNary,
Patterson,
Rice,

Russell,
Speed Smith,
Swope,
Todd,
Williams,
Young—20.

Those who voted for Mr. Buckner, were—

Messrs. Boyd,
Bradley,
Bramlette,
Evans,
Fox,
Grey,

Hambleton,
James,
Marshall,
McMillan,
Taylor,
Thomas,

Thornton,
Thurman,
Walker,
Wall,
White—17.

Messrs. Helm, Hardin and James were appointed a committee to compare and report the joint vote. Mr. Helm reported that it stood thus:

For Mr. Payne,	-	-	-	-	-	65
For Mr. Buckner,	-	-	-	-	-	57

Mr. Nathan Payne having received a majority of all the votes given, was declared duly elected a Director of the Lunatic Asylum, for five years, in the place of Richard A. Buckner, who, by the original act, was appointed a Commissioner of said Asylum for four years.

And then the Senate adjourned.

WEDNESDAY, FEBRUARY 9, 1848.

A message was received from the House of Representatives, announcing that they had passed bills from the Senate, of the following titles, to-wit:

An act to incorporate the Lexington and Newtown Turnpike Road Company.

An act to incorporate the Lebanon, New Market and Springfield Turnpike Road Company.

An act to establish the Cumberland river, Fair View and Green river road.

An act to amend an act, entitled, an act to establish the Fontain's Ferry Turnpike Road Company.

An act appropriating the proceeds of the sale of vacant lands in Nicholas county, to purposes of Internal Improvement within said county.

An act repealing all laws declaring Bull Skin, in Clay county, a navigable stream.

An act to change in part the old State road from Owingsville to Big Sandy.

An act to continue in force the 4th and 8th sections of an act, entitled, an act to amend the charter of the Louisville and Elizabethtown Turnpike Company, and Covington and Lexington Turnpike Company.

With an amendment to the last named bill.

That they had passed bills of the following titles, to-wit:

An act to incorporate the Taylor's Mill Turnpike Road Company.

An act relating to the road tax in Germantown, and for other purposes.

An act authorizing the erection of a bridge across the Bayou de Chien, in Fulton county.

An act to establish a State road from Thomas Dance's tavern, in Pendleton county, to intersect the Colemansville and Covington road, at or near Fisksburg, in Kenton county.

1. Mr. Grey presented the petition of sundry citizens of Todd county, praying for the passage of a law to incorporate the Russellville, Greysville and Tennessee line Turnpike Road Company.

2. Mr. Slaughter presented the petition of Jonathan Cotton, of Nelson county, praying for the passage of a law to confirm his title to certain land purchased of John Dye and Rebecca, his wife.

3. Mr. Williams presented the petition of sundry citizens of Bourbon county, praying for the passage of a law authorizing the County Court of said county to appropriate fifty dollars, annually, for the support and maintenance of Thomas Gardner, a poor person, without requiring him to go to the poor house.

Which petitions were severally received and referred—the 1st to the committee on Internal Improvement; the 2d to the committee on the Judiciary; and the 3d to the committee on Propositions and Grievances.

A message was received from the Governor, by Mr. Mitchell, Assistant Secretary of State, announcing that the Governor had approved and signed enenrolled bills, which originated in the Senate, of the following titles, viz:

An act to divorce Sarah Lane and others.

An act divorcing Mary Fenly, of Shelby county.

An act to amend an act, entitled, an act to incorporate the Dry Run and Covington Turnpike Road Company.

An act for the benefit of William T. Long, of Clinton county.

An act to incorporate the Trustees of the Bethlehem Cumberland Presbyterian Church, in Caldwell county.

An for the benefit of William G. Pierce, of Trimble county.

An act to divorce Mary Howard, of Harlan county.

An act to incorporate the Cave Hill Cemetery, of Louisville.

Approved February 5, 1848.

Mr. Hardin, from the committee on the Judiciary, to whom was referred the petition of the Trustees of the town of Russellville, reported the following resolution thereon, to-wit:

Resolved, That said petition be rejected.

Which was concurred in.

Mr. Hardin, from the same committee, reported the following bills, viz:

A bill to amend an act for the benefit of Ann L. Clements, approved February 3, 1847.

A bill for the benefit of Philip Baker's heirs.

Which bills were each read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bills being dispensed, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The following bills were reported from the committee on Internal Improvement, to-wit:

By Mr. Swope—A bill authorizing the Owen County Court to change so much of the State road from New Liberty to Cincinnati, as runs through the lands of Howard Early.

By Mr. J. Speed Smith—A bill for the benefit of Nathan Wallace, of Hickman county.

Which bills were each read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. McMillan read and laid on the table the following joint resolution, to-wit:

Resolved by the General Assembly of the Commonwealth of Kentucky, That a committee of two from the Senate, and three from the House of Representatives, be appointed to wait upon the Rev. R. J. Breckinridge, Superintendent of Public Instruction, and request him to furnish a copy of his address, delivered on yesterday, for the purpose of publishing the same for the use of the General Assembly.

The rule of the Senate being dispensed with, the said resolution was taken up, twice read and adopted.

Leave was given to bring in the following bills, to-wit:

On the motion of Mr. Hobbs—1. A bill for the benefit of the Baptist church at Long Run, in Jefferson county.

On the motion of Mr. Grey—2. A bill to establish an election precinct at Trenton, in Todd county.

Messrs. Hobbs, Crenshaw and J. Speed Smith were appointed a committee to prepare and bring in the 1st, and the committee on Privileges and Elections was directed to prepare and bring in the 2d.

Mr. Bradley, from the joint committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, to-wit:

An act to establish an additional precinct, in Wayne county.

An act to divorce Hugh and Rebecca Kirkpatrick.

An act for the benefit of the Somerset Academy.

An act for the benefit of Clement Conner, late Sheriff of Montgomery county.

An act to divorce Edward R. and Elizabeth Sumpter.

An act to legalize an order of the Fayette County Court at their July Term, 1847.

An act to amend the charters of the Louisville Turnpike Company, and the Shelbyville Turnpike Company.

An act to establish election precincts in the county of Mason.

An act for the benefit of Shackelford & Pullen.

An act to change the place of voting in the Christiansburg precinct, in Shelby county.

An act to change a part of the State road in Marshall county between Gray's ferry and Paducah.

An act for the benefit of the Sheriffs of Nicholas, Barren, Floyd and Boone counties.

An act for the benefit of Harrison Daniel, former Sheriff of Jessamine county.

An act for the benefit of the heirs of Theophilus D. Stark, deceased.

An act to incorporate the Trustees and Stockholders of the Doane and Gracy Fund, in the city of Covington.

An act to incorporate the Master and Wardens of Wingate Lodge, No. 161, at Simpsonville, in Shelby county.

An act for the benefit of the Taylor Guards, of Mercer county.

An act for the benefit of the Judge of the 2d Judicial District.

And had found the same truly enrolled.

The said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approbation and signature. After a short time Mr. Bradley reported that the committee had performed that duty.

The Senate, according to the standing order of the day, resolved itself into a committee of the whole House, on the state of the Commonwealth, Mr. Crenshaw in the Chair. After some time spent in committee, the Speaker resumed the Chair, when Mr. Crenshaw reported that the committee had, according to order, had under consideration a bill to fix the ratio and apportion the representation in the Senate and House of Representatives, for the ensuing four years, and had made some progress therein, but not having time to go through the same, had directed him to ask for leave to sit again; which leave was granted.

And then the Senate adjourned.

THURSDAY, FEBRUARY 10, 1848.

A message was received from the House of Representatives, announcing that they had received official information that the Governor had approved and signed enrolled bills, which originated in that House, of the following titles, to-wit:

An act to extend the limits of the town of Boonville, in Owsley county, and for other purposes.

An act for the benefit of Joseph Riddle, of Cumberland county.

An act to incorporate the Pisgah Church, in the county of Woodford.

An act for the benefit of Henry G. Black, Surveyor of Ballard county.

An act in relation to the vacant lands in Wayne county, and for other purposes.

An act to incorporate the town of Ringgold, in Pulaski county.

An act to amend the charter of the Licking Bridge Company.

An act authorizing the County Court of Woodford to lay an additional levy on slaves, for the purpose of paying an efficient patrol.

An act to amend an act to enlarge the powers of the Trustees of the town of Morganfield, and for other purposes, approved March 2, 1844.

An act to allow an additional Justice of the Peace to the county of Fleming.

An act for the divorce of Jesse Fitzgerald.

An act to enlarge the powers of the Trustees of the town of Uniontown, in Union county.

An act to amend an act, entitled, an act to incorporate the Union White Sulphur Springs Company, approved February 11, 1836.

An act to incorporate the Lexington Cemetery.

An act to legalize the proceedings of the Whitley County Court in relation to the appointment of Jailer.

An act to amend the charter of the Paris Fire Company.

An act for the benefit of the Clerk of the Campbell Circuit Court.

An act for the benefit of ministers of the gospel.

An act to incorporate the town of Piketon, in Pike county, and for other purposes.

Approved February 5, 1848.

That they had concurred in the adoption of a resolution from the Senate concerning the address of the Rev. R. J. Breckinridge, on education.

That they had passed a bill from the Senate, entitled, an act to incorporate the Hopkinsville and Cumberland River Railroad Company, with amendments, which amendments were concurred in.

That they had passed bills of the following titles, to-wit:

An act to amend an act, entitled, an act to construct a road from Rochester, at the mouth of Muddy river, in Butler county, to Russellville, in Logan county.

An act to change a part of the State road leading from Hopkinsville to Morgantown.

An act to incorporate the Paris and Cynthiana Turnpike Road Company.

An act to incorporate a Turnpike Road Company from Versailles to Midway.

An act to incorporate the Paris and Comb's Ferry Turnpike Road.

An act to incorporate the Springfield, Perryville and Danville Turnpike Road Company.

An act for the benefit of James Dewitt, Benjamin Riddle and Isaac Chinowith.

An act to incorporate the Great Crossings and Stamping Ground Turnpike Road Company.

An act authorizing the erection of an additional toll gate on the Versailles and Anderson turnpike road.

An act to amend the charter of the Oakland Turnpike Road Company.

An act to incorporate the Spencer County and Louisville Turnpike Road Company, and for other purposes.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading of said bills being dispensed with, they were referred to the committee on Internal Improvement.

Mr. Hobbs presented the memorial of the Board of Visitors of the Kentucky Institution for the Education of the Blind, which was received and referred to the committee on Education.

Ordered, That the Public Printer print 150 copies of said memorial, for the use of the General Assembly.

Mr. Thomas presented the petition of Catharine Stilwell, of Kenton county, praying for the passage of a law divorcing her from her husband, Robert S. Stilwell.

Which was received and referred to the committee on Religion.

A message in writing, was received from the Governor, by Mr. Mitchell, Assistant Secretary of State.

The rule of the Senate being dispensed with, the said message was taken up, and read as follows, to-wit:

Gentlemen of the Senate:

I nominate for your advice and consent, Jefferson Williams to be Major General of the 2d Division, Kentucky Militia, in place of Samuel Black, resigned.

John Miller to be Brigadier General of the — Brigade, in place of Jefferson Williams, promoted.

J. B. Wortham to be Colonel; John B. Anderson, Lieut. Colonel, and G. A. Nanny, Major of 112th Regiment, 28th Brigade.

William Thomas to be Colonel; Thomas Sanford, Lieut. Colonel, and R. G. Puntney, Major of 137th Regiment, 28th Brigade.

Thomas W. Meriwether to be Lieut. Colonel of 125th Regiment, 28th Brigade.

Thomas Duvall to be Colonel; R. S. Stewart, Lieut. Colonel, and D. M. Green, Major of 138th Regiment, 19th Brigade.

William Sharp to be Colonel of 84th Regiment, 19th Brigade.

L. G. Cralle to be Colonel; Albert R. Long, Lieut. Colonel, and Daniel A. Brooks, Major of 83d Regiment, 19th Brigade.

James Mays to be Colonel; Uriah Robinson, Lieut. Colonel, and James H. Vanarsdale, Major of 133d Regiment, 8th Brigade.

John McRoberts to be Colonel, and Johnson B. Phelps, Major of 58th Regiment, 25th Brigade.

Rufus Walker to be Major of 30th Regiment, 25th Brigade.

W. H. Hamlet to be Colonel, and James R. Call, Lieut. Colonel of 38th Regiment, 21st Brigade.

Alney M. Scott to be Colonel; H. W. Johnson, Lieut. Colonel, and W. M. Webb, Major of 117th Regiment, 21st Brigade. WM. OWSLEY.

Resolved, That the Senate advise and consent to the said appointments.

Mr. Hambleton moved the following resolution, to-wit:

Resolved, That the committee on the Judiciary examine and report to the Senate, at 12 o'clock on Saturday, whether, under the provisions of the Constitution, a county having a number of votes equal to the ratio can be added to a county having less votes than the number fixed by the ratio; and that they make report in writing, so that the same may be entered upon the Journal.

Mr. Heady moved to lay the said resolution on the table.

The question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Hambleton and Hardin, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Boyd,	Hawkins,	Slaughter,
Bradley,	Heady,	Speed Smith,
Bramlette,	Helm,	Taylor,
Brien,	Hobbs,	Thomas,
Crenshaw,	James,	Thurman,
Draffin,	Marshall,	Todd,
English,	McMillan,	Wall,
Fox,	Rice,	Young—26.
Hardin,	Russell,	

Those who voted in the negative, were—

Messrs. Evans,	McNary,	Walker,
Grey,	Patterson,	White,
Hambleton,	Swope,	Williams—10.
Holloway,		

A message was received from the House of Representatives, asking leave to withdraw their report of the passage, by that House, of a bill from the Senate, entitled, an act authorizing the County Court of Nicholas to subscribe stock in the Carlisle and Sharpsburg Turnpike Road Company.

The question being taken on granting the leave to withdraw said report, it was decided in the negative, so the leave was refused.

Mr. McNary, from the joint committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, to-wit:

An act to amend an act, entitled, an act to establish the Fountain's Ferry Turnpike Road Company.

An act to change in part the old State road from Owingsville to Big Sandy.

An act repealing all laws declaring Bull Skin, in Clay county, a navigable stream.

An act appropriating the proceeds of the sale of vacant lands in Nicholas county, to purposes of Internal Improvement within said county.

An act for the benefit of Calvin and Mary Johnson, of Clinton county, and Elizabeth Ann Deacon and Thomas Deacon, of Bullitt county.

An act to incorporate the Lexington and Newtown Turnpike Road Company.

An act to establish the Cumberland river, Fair View and Green river road.

An act to change the time of holding the Hopkins County Court.

An act authorizing the County Court of Nicholas to subscribe stock in the Carlisle and Sharpsburg Turnpike Road Company.

And enrolled bills which originated in the House of Representatives, of the following titles, to-wit:

An act for the benefit of the heirs of Joshua Wallace, deceased.

An act for the benefit of the Sheriff of Cumberland county.

An act to amend an act to regulate the administration and settlement of estates.

An act for the benefit of William D. Mitchell, Clerk of the Oldham Circuit and County Courts, and others.

An act for the benefit of Eliza Cowen.

An act to change the name of Nelly S. Craig.

An act to incorporate the Trustees of the Covington Female College.

An act allowing additional Justices of the Peace to Morgan, Owsley, Hardin and Henry counties.

An act for the benefit of James Jenkins, of Warren county.

An act for the benefit of the Maysville and Mountsterling turnpike road.

And had found the same truly enrolled.

The said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approbation and signature. After a short time Mr. McNary reported that the committee had performed that duty.

On the motion of Mr. Draffin, leave was given to bring in a bill to amend an act, entitled, an act to establish the town of Cornishville, approved February 23d, 1847, and for other purposes; and Messrs. Draffin, Evans and English were appointed a committee to prepare and report in the same.

After a short time Mr. Draffin reported the said bill, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

1. Mr. Russell presented the petition of sundry citizens of the town of Frankfort, praying for the passage of a law authorizing the Board of Trustees of said town to subscribe for stock in the Louisville and Frankfort Railroad Company; in the Lexington and Frankfort Railroad Company, and in the Frankfort and Lawrenceburg road; also, for the passage of a law authorizing the County Court of Franklin to subscribe stock in said roads, or either of them.

2. Mr. Grey presented the petition of James M. Gatewood and Ann, his wife, late of Todd county, praying for the passage of a law authorizing the sale and conveyance of a tract of land lying on the West fork of Red river, in Christian county.

Which petitions were each received and referred—the 1st to the committee on Internal Improvement, and the 2d to the committee on the Judiciary.

Messrs. McMillan and Fox were appointed a committee on the part of the Senate, pursuant to the joint resolution adopted, concerning the address of the Rev. R. J. Breckinridge, on education.

Resolved, That the Senate concur in the amendments proposed by the House of Representatives, to a bill from the Senate, entitled, an act to continue in force the 4th and 8th sections of an act, entitled, an act to amend the charter of the Louisville and Elizabethtown Turnpike Company, and Covington and Lexington Turnpike Company.

Mr. Hobbs, from a select committee, reported a bill to incorporate the Long Run Baptist Church, of Jefferson county, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Bills from the House of Representatives, of the following titles, were severally read the first time, to-wit:

An act to incorporate the Taylor's Mill Turnpike Road Company.

An act relating to the road tax in Germantown, and for other purposes.

An act authorizing the erection of a bridge across the Bayou de Chien, in Fulton county.

An act to establish a State road from Thomas Dance's tavern, in Pendleton county, to intersect the Colemansville and Covington road, at or near Fisksburg, in Kenton county.

Ordered, That said bills be read a second time.

The constitutional rule as to the second reading of said bills being dispensed with, they were referred to the committee on Internal Improvement.

On the motion of Mr. Hardin, the committee of the whole was discharged from the further consideration of a bill to fix the ratio and apportion the representation in the Senate and House of Representatives, for the ensuing four years.

The Senate then proceeded to consider said bill.

It reads as follows, to-wit:

SEC. 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the ratio for the ensuing four years, shall be thirteen hundred and seventy three votes for each Representative; and the representation for that period shall be and the same is hereby apportioned among the several counties of this Commonwealth, for the House of Representatives, in the following manner, to-wit: The county of Adair shall be entitled to one Representative; Allen one; Anderson one; Boyle one; Bracken one; Breathitt and Morgan one; Bourbon two; Bullitt one; Barren two; Breckinridge one; Boone one; Bath one; Ballard and McCracken one; Butler and Edmonson one; Campbell one; Caldwell one; Christian two; Clarke one; Carroll and Gallatin one; Casey one; Clay, Letcher and Perry one; Cumberland and Clinton one; Carter and Lawrence one; Crittenden one; Calloway and Marshall one; Daviess one; Estill and Owsley one; Floyd; Pike and Johnson one; Franklin one; Fayette two; Fleming two; Graves one; Greenup one; Grant one; Garrard one; Green one; Grayson one; Hopkins one; Hickman and Fulton one; Henderson one; Hardin two; Henry one; Harlan and Knox one; Hart one; Harrison two; Jefferson two; Jessamine one; Kenton one; Louisville City three; Larue one; Laurel and Rockcastle one; Lincoln one; Lewis one; Logan two; Livingston one; Muhlenburg one; Madison two; Montgomery one; Mercer one; Marion one; Meade one; Monroe one; Mason two; Nicholas one; Nelson two; Owen one; Oldham one; Ohio and Hancock one; Pulaski one; Pendleton one; Russell one; Simpson one; Shelby two; Scott one; Spencer one; Trimble one; Todd one; Trigg one; Taylor one; Union one; Woodford one; Wayne one; Warren one; Whitley one; and Washington one.

SEC. 2. That for the purpose of apportioning the representation in the Senate, this State is hereby laid off into thirty eight Senatorial Districts, as follows, to-wit: The counties of Ballard, Hickman, Graves and Fulton shall compose the first Senatorial District; Union, Hopkins and Crittenden the second; Christian and Todd the third; Logan and Simpson the 4th; Daviess and Henderson the fifth; Warren, Allen and Edmonson the sixth; Barren and Monroe the seventh; Hart, Green and Taylor the eighth; Clinton, Cumberland, Wayne and Russell the ninth; Casey, Adair and Boyle the tenth; Livingston, Caldwell and McCracken the eleventh; Breckinridge, Grayson and Hancock the twelfth; Ohio, Muhlenburg and Butler the thirteenth; Hardin and Meade the fourteenth; Louisville City and Jefferson county the fifteenth; Trimble, Oldham and Henry the sixteenth; Shelby and Franklin the seventeenth; Nelson and Larue the eighteenth; Marion and Washington the nineteenth; Mercer and Anderson the twentieth; Calloway, Trigg and Marshall the twenty-first; Lincoln and Pulaski the twenty-second; Madison and Garrard the twenty-third; Laurel, Whitley, Knox and Rockcastle the twenty-fourth; Gallatin, Carroll and Boone the twenty-fifth; Kenton and Campbell the twenty-sixth; Bourbon and Scott the twenty-seventh; Grant, Pendleton and Owen the twenty-eighth; Harrison and Bracken the twenty-ninth; Spencer and Bullitt the thirtieth; Fayette the thirty-first; Woodford and Jessamine the thirty-second; Clarke, Montgomery and Estill the thirty-third; Carter, Greenup, Lawrence and Johnson the thirty-fourth; Fleming and Lewis the thirty-fifth; Mason and Nicholas the thirty-sixth; Bath, Morgan and Floyd the thirty-seventh; and Clay, Breathitt, Letcher, Perry, Harlan, Owsley and Pike the thirty-eighth.

SEC. 3. That in order to ascertain the state of the polls, where two or more counties compose a Senatorial District, or two or more counties are attached to elect a Representative, the Sheriffs of such counties shall meet at the court-house of the county first named, to compare the polls, on the first Monday next after the commencement of the election; and after having ascertained, by faithful comparison and addition, the number of their respective polls, shall make return of the persons elected, in the manner prescribed by law: *Provided*, That when a writ of election may be issued by the Governor, or either branch of the Legislature, an earlier day may be ordered in such writ, for comparing the polls, if it should be deemed expedient.

SEC. 4. That if any new county should be established before the next enumeration and apportionment of representation, it shall be considered as a part or parts of the county or counties from which it was taken, for the purpose of representation.

TABLE I.

Statement of Voters South of Green River, and No. of present Representation.

		No. Reps.	Surplus.	Deficiency.
Fulton,	612			
Hickman,	633			
	— 1245	1		128
Ballard,	699			
McCracken,	614			
	— 1313	1		60
Graves,	1533	1	160	
Calloway,	1206			
Marshall,	793			
	— 1999	1	626	
Livingston,	822	1		551
Crittenden,	905	1		468
Caldwell,	1891	1	518	
Trigg,	1339	1		34
Christian,	2115	2		631
Hopkins,	1757	1	384	
Union,	1300	1		73
Henderson,	1480	1	107	
Muhlenburg,	1479	1	106	
Todd,	1323	1		50
Logan,	2047	2		699
Warren,	2100	1	727	
Simpson,	956	1		417
Allen,	1228	1		145
Barren,	2871	2	125	
Monroe,	1152	1		221
Green,	1300	1		73
Adair,	1452	1	79	
Cumberland	985			
Clinton,	768			
	— 1753	1	380	
Russell,	890	1		483
Whitley,	985	1		388
Wayne,	1437	1	64	
Pulaski,	2156	1	783	
	—	—	—	—
	1373)40828(29	30	4059	4421
	2746			4059
	—			—
	13368			
	12357			
	—			—
	1011			

wants 362
to make 30 repre-
sentatives.

TABLE 2.

A Statement of Voters in the several Counties between Kentucky and Green Rivers, viz :

		No. Reps.	Surplus.	Deficiency.
Garrard,	1576	1	203	
Lincoln,	1315	1		58
Casey,	964	1		409
Taylor, about	1060	1		313
Mercer,	2142	1	769	
Boyle,	1112	1		261
Marion,	1730	1	357	
Washington,	1714	1	341	
Anderson,	998	1		375
Nelson,	1984	2		762
Larue,	921	1		452
Bullitt,	1150	1		223
Spencer,	1012	1		361
Jefferson,	2327	2		419
Louisville,	4410	2	1664	
Oldham,	1038	1		335
Shelby,	2299	2		447
Henry,	1840	1	467	
Trimble,	921	1		452
Hart,	1323	1		50
Butler,	859			
Edmonson,	619			
	1478	1	105	
Grayson,	1075	1		298
Hardin,	2344	2		402
Meade,	1006	1		367
Breckinridge,	1695	1	322	
Hancock,	524	1		849
Ohio,	1463	1	90	
Daviess,	1751	1	378	
	1373	33	4696	6833
	4119			4696
	1982			wants 2137
	1373			to make 33 repre-
	609			sentatives.

TABLE 3.

A Statement of the number of Qualified Voters in the several Counties North of Kentucky River, &c.

		No. Reps.	Surplus.	Deficiency.
Fleming,	2321	2		425
Bath,	1861	1	488	
Montgomery,	1356	1		17
Clarke,	1666	1	293	
Bourbon,	1819	2		927
Nicholas,	1587	1	214	
Mason,	2729	2		17
Bracken,	1510	1	137	
Harrison,	2017	2		729
Scott,	1807	1	434	
Fayette,	2603	2		143
Jessamine,	1280	1		93
Woodford,	1247	1		126
Franklin	1593	1	220	
Owen,	1643	1	270	
Grant,	1055	1		318
Pendleton,	1214	1		159
Campbell,	1282	1		91
Kenton,	2082	1	709	
Boone,	1867	1	494	
Gallatin,	786			
Carroll,	846			
	— 1632	1	259	
	1373	26	3518	3045
	2746		3045	
	8711		473 votes.	
	8238			
	473			

Those counties have now 26 Representatives; at a ratio of 1373, are entitled to 26, and a surplus 473.

TABLE 4.

A Statement of the number of Voters in the several Counties named below, with their present Representation, &c.—Southeast section of the State.

		No. Reps.	Surplus.	Deficiency.
Madison,	2517	2		229
Laurel,	715			
Rockcastle,	790			
	1510	1	137	
Clay,	697			
Perry,	457			
Letcher,	339			
	1493	1	120	
Knox,	1036			
Harlan,	631			
	1667	1	294	
Morgan,	1168			
Breathitt,	547			
	1715	1	342	
Estill,	961			
Owsley,	516			
	1477	1	104	
Pike,	781			
Johnson,	550			
Floyd,	920			
	2251	1	878	
Carter,	877			
Lawrence,	832			
	1709	1	336	
Greenup,	1593	1	220	
Lewis,	1235	1		138
	1373	11	2431	367
	17167(12		367	
	1373			
	3437		2064 voters	
	2746		not represented.	
	691			

Those counties have now 11 Representatives, as above, to 12, with a surplus plus 691 voters.

Senate Districts and No. of Voters in each District, as provided for in the Bill reported.

DISTRICTS.			
No. 1—	Ballard,	- - -	699
	Hickman,	- - -	633
	Fulton,	- - -	612
	Graves,	- - -	1533
			—3477
No. 2—	Union,	- - -	1300
	Hopkins,	- - -	1757
	Crittenden,	- - -	905
			—3962
No. 3—	Christian,	- - -	2115
	Todd,	- - -	1323
			—3438
No. 4—	Logan,	- - -	2047
	Simpson,	- - -	956
			—3003
No. 5—	Daviess,	- - -	1751
	Henderson,	- - -	1480
			—3231
No. 6—	Warren,	- - -	2100
	Allen,	- - -	1228
	Edmondson,	- - -	619
			—3947
No. 7—	Barren,	- - -	2871
	Monroe,	- - -	1152
			—4023
No. 8—	Hart,	- - -	1323
	Green,	- - -	1300
	Taylor,	- - -	1060
			—3688
No. 9—	Clinton,	- - -	768
	Cumberland,	- - -	985
	Wayne,	- - -	1437
	Russell,	- - -	890
			—4080
No. 10—	Casey,	- - -	964
	Boyle,	- - -	1112
	Adair,	- - -	1452
			—3528
No. 11—	Livingston,	- - -	822
	Caldwell,	- - -	1891
	McCracken,	- - -	614
			—3327
No. 12—	Breckinridge,	- - -	1695
	Grayson,	- - -	1075
	Hancock,	- - -	524
			—3294
No. 13—	Ohio,	- - -	1463
	Muhlenburg,	- - -	1479
	Butler,	- - -	859
			—3801
No. 14—	Hardin,	- - -	2344
	Meade,	- - -	1006
			—3350
No. 15—	Louisville City,	}	6737
	Jefferson,	}	
No. 16—	Trimble,	- - -	921
	Oldham,	- - -	1038
	Henry,	- - -	1840
			—3799
No. 17—	Shelby,	- - -	2298
	Franklin,	- - -	1593
			—3892
No. 18—	Nelson,	- - -	1984
	Larue,	- - -	921
			—2905
No. 19—	Marion,	- - -	1730
	Washington,	- - -	1714
			—3444
No. 20—	Mercer,	- - -	2142
	Anderson,	- - -	998
			—3140
No. 21—	Calloway,	- - -	1206
	Trigg,	- - -	1339
	Marshall,	- - -	793
			—3338
No. 22—	Lincoln,	- - -	1315
	Pulaski,	- - -	2156
			—3471
No. 23—	Madison,	- - -	2517
	Garrard,	- - -	1576
			—4093
No. 24—	Laurel,	- - -	715
	Whitley,	- - -	985
	Knox,	- - -	1036
	Rockcastle,	- - -	790
			—3526
No. 25—	Gallatin,	- - -	786
	Carroll,	- - -	846
	Boone,	- - -	1867
			—3499
No. 26—	Kenton,	- - -	2082
	Campbell,	- - -	1282
			—3364
No. 27—	Bourbon,	- - -	1819
	Scott,	- - -	1807
			—3625
No. 28—	Grant,	- - -	1065
	Pendleton,	- - -	1214
	Owen,	- - -	1643
			—3912
No. 29—	Harrison,	- - -	2017
	Bracken,	- - -	1510
			—3527
No. 30—	Spencer,	- - -	1012
	Bullitt,	- - -	1150
			—2162
No. 31—	Fayette,	- - -	2603
No. 32—	Woodford,	- - -	1247
	Jessamine,	- - -	1280
			—2527
No. 33—	Clarke,	- - -	1666
	Montgomery,	- - -	1356
	Estill,	- - -	961
			—3983
No. 34—	Carter,	- - -	877
	Greenup,	- - -	1593
	Lawrence,	- - -	832
	Johnson,	- - -	550
			—3852
No. 35—	Fleming,	- - -	2321
	Lewis,	- - -	1235
			—3556
No. 36—	Mason,	- - -	2729
	Nicholas,	- - -	1587
			—4316
No. 37—	Morgan,	- - -	1168
	Floyd,	- - -	920
	Bath,	- - -	1861
			—3949
No. 38—	Clay,	- - -	697
	Breathitt,	- - -	547
	Perry,	- - -	457
	Letcher,	- - -	339
	Harlan,	- - -	631
	Owsley,	- - -	516
	Pike,	- - -	781
			—3968

Mr. Brien moved to amend said bill, in the first section, by striking out the words, "and Marshall," after the word "Calloway," so as to make it read Calloway one; and also, to add the words "and Marshall" after the word "Livingston," so as to make it read "Livingston and Marshall one."

The question being taken on the adoption of said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Patterson and Brien, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Bradley,	Fox,	Rice,
Bramlette,	Heady,	Thomas,
Brien,	James,	Thurman,
English,	Marshall,	Young—14.
Evans,	McNary,	

Those who voted in the negative, were—

Messrs. Boyd,	Henderson,	Speed Smith,
Crenshaw,	Hobbs,	Taylor,
Draffin,	Holloway,	Todd,
Grey,	McMillan,	Walker,
Hardin,	Patterson,	Wall,
Hawkins,	Russell,	White,
Helm,	Slaughter,	Williams—21.

Mr. Rice then moved to amend said bill, in the first section, by striking out, after the word "Nelson," the word "two," and inserting "one."

And then the Senate adjourned.

FRIDAY, FEBRUARY 11, 1848.

A message was received from the House of Representatives, announcing that they had received official information that the Governor had approved and signed enrolled bills, which originated in that House, of the following titles, to-wit:

An act for the benefit of John B. Embree, of Monroe county.

Approved February 8, 1848.

An act for the benefit of Shackleford & Pullen.

An act to amend the charters of the Louisville Turnpike Company, and the Shelbyville Turnpike Company.

An act to amend the law concerning processioning lands, and to perpetuate the evidence of land boundaries.

An act for the benefit of the Judge of the 2d Judicial District.

An act for the benefit of the Taylor Guards, of Mercer county.

An act to incorporate the Master and Wardens of Wingate Lodge, No. 161, at Simpsonville, in Shelby county.

An act for the benefit of the heirs of Theophilus D. Stark, deceased.

An act for the benefit of Harrison Daniel, former Sheriff of Jessamine county.

An act to divorce Edmund R. and Elizabeth Sumpter.

An act to divorce Hugh and Rebecca Kirkpatrick.

An act to legalize an order of the Fayette County Court at their July Term, 1847.

An act for the benefit of the Somerset Academy.

An act to establish election precincts in the county of Mason.

An act to change the place of voting in the Christiansburg precinct, in Shelby county.

An act for the benefit of the Sheriffs of Nicholas, Barren, Floyd and Boone counties.

An act to change a part of the State road in Marshall county between Gray's ferry and Paducah.

An act to incorporate the Trustees and Stockholders of the Doane and Gracy Fund, in the city of Covington.

Approved February 9, 1848.

That they had disagreed to a bill from the Senate, entitled, an act for the benefit of the Common School Commissioners in Mercer county.

That they had passed a bill from the Senate, entitled, an act to incorporate the Lexington Female High School.

That they had passed bills of the following titles, to-wit:

An act to amend the militia laws.

An act for the benefit of the Board of Internal Improvement.

An act for the benefit of Common Schools in the town of Portland.

An act to incorporate the Philomathean Society of the Kentucky Military Institute.

1. Mr. Grey presented the petition of sundry citizens of Christian county, praying for the passage of a law changing the terms of the Circuit Court for said county.

2. Mr. Hobbs presented the petition of the Mayor and Council of the city of Louisville, praying for an amendment to the charter of the Frankfort and Louisville Railroad Company.

3. Mr. Helm presented the petition of James Crawford, praying for the passage of a law divorcing him from his wife, Miriam Crawford.

4. Mr. Helm also presented the petition of sundry citizens of Hardin county, praying for the passage of a law establishing an election precinct at the house of Martin Hardin, in said county.

Which petitions were severally received and referred—the 1st to the committee on the Judiciary; the 2d to the committee on Internal Improvement; the 3d to the committee on Religion; and the 4th to the committee on Privileges and Elections.*

Leave of absence was granted to Mr. Thornton until Monday next, and to Mr. Young until Friday next.

Leave was given to bring in the following bills, to-wit:

On the motion of Mr. Hobbs—1. A bill to incorporate the Second Baptist Church in Louisville.

On the motion of same—2. A bill to incorporate the Louisville and Taylorsville Turnpike Road Company.

On the motion of Mr. McMillan—3. A bill to change the time of holding the Chancery Term of the Nicholas Circuit Court from the fourth to the third Monday in July.

On the motion of Mr. J. Speed Smith—4. A bill to detach Estill county from the 11th and add it to the 10th Judicial District.

On the motion of Mr. Bramlette—5. A bill for the benefit of the legatees of James Cowan, deceased.

Messrs. Hobbs, Boyd and Walker were appointed a committee to prepare and bring in the 1st; Messrs. Hobbs, J. Speed Smith and Heady the 2d; Messrs. McMillan, Williams and Boyd the 3d; Messrs. J. Speed Smith, Fox and Williams the 4th; and the committee on the Judiciary was directed to prepare and bring in the 5th.

The following bills were reported, to-wit:

By Mr. J. Speed Smith, from the committee on Internal Improvement—A bill to amend the charter of the Glasgow and Scottsville Turnpike Road Company.

By same—A bill authorizing the Trustees of the town of Frankfort, and the Franklin County Court to subscribe for stock in certain companies.

By same, from a select committee—A bill to detach Estill county from the 11th and add it to the 10th Judicial District.

Which bills were each read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. J. Speed Smith read and laid on the table the following joint resolutions, to-wit:

Resolved by the General Assembly of the Commonwealth of Kentucky, That Major General Winfield Scott, by a series of glorious victories, unparalleled in the history of war—commencing with the castle of San Juan de Ulloa, and terminating with the capture of the capitol of the Mexican Empire, by which he has drawn upon himself and his army the admiration of the world—has entitled himself to the thanks and gratitude of the people of Kentucky, which are hereby tendered and cordially given.

Resolved, That the people of Kentucky look with pride and exultation upon the patriotic ardor and steady valor of the officers and soldiers—volunteer and regular—who have given world-wide renown to our national prowess, by the various successful, uninterrupted and glorious battles from Vera Cruz to the city of Mexico.

Resolved, That the Governor be, and he is hereby requested to convey the foregoing resolutions to Major General Scott, with the request that he communicate the same to the army.

The rule of the Senate being dispensed with, the said resolutions were taken up.

The question being taken on the adoption of said resolutions, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Hardin and J. Speed Smith, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Boyd,	Hawkins,	Speed Smith,
Bradley,	Helm,	Swope,
Bramlette,	Henderson,	Taylor,
Brien,	Hobbs,	Thomas,
Crenshaw,	Holloway,	Thurman,
Driffin,	James,	Walker,
English,	Marshall,	Wall,
Evans,	McMillan,	White,
Fox,	McNary,	Williams,
Grey,	Patterson,	Young—32.
Hambleton,	Slaughter,	

Those who voted in the negative, were—

Messrs. Hardin, Rice—2.

Mr. Swope, from a select committee, reported a bill to provide for the completion of unfinished works on Licking river, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading being dispensed with, said bill was referred to the committee on Internal Improvement, and the Public Printer was directed to print 150 copies thereof, for the use of the General Assembly.

Mr. J. Speed Smith, from the committee on Internal Improvement, to whom was referred a bill from the House of Representatives, entitled, an act to incorporate the Paris, Winchester and Kentucky River Turnpike

Road Company, reported the same with amendments, which were concurred in.

Ordered, That said bill be read a third time, as amended.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bill, as amended, do pass, and that the title thereof be amended by adding, "and for other purposes."

Mr. J. Speed Smith, from the same committee, to whom was referred bills from the House of Representatives, of the following titles, to-wit:

1. An act to establish a State road from Morganfield, through Smithland, to Paducah.

2. An act to establish a State road from Thomas Dance's tavern, in Pendleton county, to intersect the Colemansville and Covington road, at or near Fisksburg, in Kenton county.

3. An act to amend the charter of the Oakland Turnpike Road Company.

4. An act to incorporate the Taylor's Mill Turnpike Road Company.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. J. Speed Smith, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act to amend an act, entitled, an act to construct a road from Rochester, at the mouth of Muddy river, in Butler county, to Russellville, in Logan county, reported the same without amendment.

The said bill was amended, and ordered to be read a third time.

The constitutional rule as to third reading being dispensed with,

Resolved, That said bill, as amended, do pass, and that the title thereof be as aforesaid.

Mr. J. Speed Smith, from the same committee, to whom was referred the memorial of Joseph Barbour, reported the following resolution thereon, viz:

Resolved, That the memorial of Joseph Barbour, having no merit to rest on, he having given the Board of Internal Improvement a receipt in full, for all damages and extra work, upon final settlement, the committee be and is hereby discharged from the further consideration thereof.

Which was concurred in.

Mr. Helm, from the committee on Sinking Fund, to whom was referred a bill for the relief of the widow and children of the late William R. McKee, deceased, reported the same with amendments, which were concurred in.

On the motion of Mr. Evans,

Resolved, That the Second Auditor of this State report to the Senate the number of children, between the ages of 5 and 16 years, whose parents or

guardians do not list more property than from \$400 to \$600; also, those worth from \$100 to \$400; those worth less than \$100; and those whose parents or guardians are worth nothing and who reside in this State; said calculation to be taken from the Commissioners books for 1847, either by examining all said books, or taking a certain number as average counties, as said Auditor may deem most advisable.

After proceedings as a High Court of Impeachment, as stated on the record,
The Senate adjourned.

SATURDAY, FEBRUARY 12, 1848.

1. Mr. Grey presented the petition of Burnly D. Smith, praying for the passage of a law allowing him to import into this State a negro woman slave, without incurring the penalties of the law of 1833, prohibiting the importation of slaves into this State.

2. Mr. Williams presented the petition of John Desha, of Bourbon county, praying for the passage of a law divorcing him from his wife, Phebe M. Desha.

3. Mr. Hobbs presented the amended petition of John Cunningham, in support of his application for a divorce from his wife, Elizabeth Cunningham.

Which petitions were each received and referred—the 1st to the committee on Propositions and Grievances, and 2d and 3d to the committee on Religion.

The Speaker laid before the Senate a communication from the 2d Auditor, covering a report in response to a resolution of yesterday, which is as follows, to-wit:

AUDITOR'S OFFICE, *Frankfort, February 12, 1848.*

SIR: In accordance with a resolution of the Senate, of yesterday, I submit the enclosed statement.

I am, sir, very respectfully,

THO. S. PAGE, *2d Auditor.*

Hon. A. DIXON,

Lieut. Governor and Speaker of the Senate.

The following statement shows the number of Parents and Guardians in the State of Kentucky, having children between five and sixteen years of age, who list property worth from \$400 to \$600; also, those who are worth

from \$100 to \$400; those worth less than \$100, and those who have no property. It likewise contains the number of children under each head mentioned:

Number of parents worth from \$400 to \$600, and number of children between 5 and 16 years of age.		Number of parents worth \$100 to \$400, and number of children between 5 and 16 years of age.		Number of parents worth less than \$100, and number of children between 5 and 16 years of age.		Number of parents who have no property, and number of children between 5 and 16 years of age.	
Parents.	Children.	Parents.	Children.	Parents.	Children.	Parents.	Children.
4,980	13,792	8,249	22,815	13,885	38,402	4,124	11,407

RECAPITULATION.						Parents.	Children.
Number of parents worth from \$400 to \$600, and number of children between 5 and 16 years of age.						4,980	13,792
Number of parents worth from \$100 to \$400, and number of children between 5 and 16 years of age.						8,249	22,815
Number of parents worth less than \$100, and number of children between 5 and 16 years of age.						13,885	38,402
Number of parents who have no property, and number of children between 5 and 16 years of age.						4,124	11,407
Total						31,238	86,416

In making the above estimate, the counties of Garrard, Henderson, Nelson and Pike were examined, and a true statement taken from the Commissioners' books for those counties. This statement formed the basis of the foregoing estimate. As those counties make, almost, an exact average, the above calculation, (though perhaps it might not agree perfectly with a complete statement, made from all the Commissioners' books,) may be considered nearly accurate.

Attest,

THO. S. PAGE, 2d Auditor.

Ordered, That the Public Printer print 500 copies of said report, for the use of the General Assembly.

Mr. McMillan, from a select committee, reported a bill changing the time of holding the Chancery Term of the Nicholas Circuit Court, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

After proceedings as a High Court of Impeachment, as stated on the record,

The Senate adjourned until Monday morning, 9 o'clock.

MONDAY, FEBRUARY 14, 1848.

A message was received from the House of Representatives, announcing that they had passed bills from the Senate, of the following titles, to-wit:

An act for the benefit of James T. Locknane.

An act for the benefit of the Sheriffs of Hopkins and Crittenden counties, and the late Sheriff of Hickman county.

An act to incorporate the Lancaster Cemetery Company.

An act regulating the terms of the Circuit and County Courts of Taylor, and for other purposes.

An act laying off the County of Trimble into four Constable's Districts, and for other purposes.

An act for the benefit of Theodore L. Burnett.

An act establishing election precincts in Taylor county.

An act for the benefit of Captains Adam D. Stewart and S. L. Alexander, of the U. S. Army, now in Mexico.

With amendments to the two bills last named.

That they had concurred in the adoption of resolutions from the Senate complimentary to Major General Winfield Scott, and the officers and soldiers under his command, with amendments.

That they had passed bills of the following titles, to-wit:

An act for the benefit of Martha Jane Webb and Mary Jane Newland.

An act for the benefit of William H. Curtis, of Monroe county.

An act for the benefit of Joseph Willis Hamilton.

An act for the benefit of M. C. Hughes, Surveyor of Owsley county.

An act to incorporate the Crittenden Mining Company.

An act for the benefit of J. W. Mobley, of Todd county.

An act to allow additional Constables to Logan, Washington, Fleming and Pendleton counties.

An act for the benefit of the Morgan County Court.

An act to amend the road law in the county of Clarke, and for other purposes.

An act to incorporate the town of Monticello.

An act for the benefit of William Mullen, of Wayne county, and others.

An act to provide for the running and marking the dividing line between the counties of Russell, Casey and Pulaski.

An act to change the State road from Hopkinsville to Gray's ferry.

1. Mr. Patterson presented the petition of James Holland, of Caldwell county, praying for the passage of a law to legitimate Lawson Walston, and others, as his children.

2. Mr. Crenshaw presented the petition of Thomas Webb, of Monroe county, praying for the passage of a law divorcing him from his wife, Susan Webb.

3. Mr. Crenshaw also presented the petition of Richard Emberton and Ally Emberton, his wife, praying for the passage of a law divorcing them from each other.

4. Mr. McNary presented the petition of Jackson Wilkins, of Muhlenburg county, praying for the passage of a law permitting him to retail spirituous liquors by the small, without obtaining a license to keep a tavern.

5. Mr. Brien presented the petition of sundry citizens of the town of Murray, in Calloway county, praying for the passage of a law to abolish a part of Walnut street, in said town, and authorizing the conveyance of the same to the Trustees of Murray Seminary.

Which petitions were each received and referred—the 1st and 5th to the committee on the Judiciary; the 2d and 3d to the committee on Religion; and the 4th to the committee on Finance.

The Senate resumed the consideration of a bill for the relief of the widow and children of the late William R. McKee, deceased.

Ordered, That said bill be engrossed and read a third time.

The constitutional rule as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Hobbs, from a select committee, reported a bill to incorporate the Second Baptist Church in Louisville, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Patterson, from the committee on the Judiciary, reported a bill for the benefit of the children of James Holland, of Caldwell county, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Crenshaw, from the same committee, reported a bill to amend the penal laws, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading of said bill being dispensed with, it was placed in the orders of the day.

After proceedings as a High Court of Impeachment, as stated on the record,

The Senate adjourned.

TUESDAY, FEBRUARY 15, 1848.

A message was received from the House of Representatives, announcing that they had received official information that the Governor had approved and signed enrolled bills, which originated in that House, of the following titles, to-wit:

An act for the benefit of James Jenkins, of Warren county.

An act allowing additional Justices of the Peace to Morgan, Owsley, Hardin and Henry counties.

An act for the benefit of the Maysville and Mountsterling turnpike road.

An act to incorporate the Trustees of the Covington Female College.

An act for the benefit of Eliza Cowen.

An act to change the name of Nelly S. Craig.

An act to amend an act to regulate the administration and settlement of estates.

An act for the benefit of William D. Mitchell, Clerk of the Oldham Circuit and County Courts, and others.

An act for the benefit of the Sheriff of Cumberland county.

An act for the benefit of the heirs of Joshua Wallace, deceased.

Approved February 10, 1848.

That they had passed bills from the Senate, of the following titles, to-wit:

An act for the benefit of William Rowlett, of Owen county.

An act to enlarge the powers of the Trustees of the town of Louisa.

An act to run and mark a part of the line between Jefferson and Shelby counties.

That they had passed bills of the following titles, to-wit:

An act to modify the act of 1833, prohibiting the importation of slaves into this State.

An act to establish the town of Buena Vista, in Russell county.

An act for the benefit of the Sheriff of Laurel county.

An act to amend the Trustee law of the town of London.

An act to enlarge the limits of the town of Cadiz.

An act to incorporate a Fire Company in the town of Winchester.

An act to repeal an act, entitled, an act to prevent the sale of spirituous liquors within the town of Lagrange, and one mile therefrom, approved January 29, 1846.

An act authorizing the County Court of Mason county to sell and convey certain public property in said county, and for other purposes.

An act for the benefit of Ann H. Cundiff, of Clay county.

An act for the benefit of Price Snyder, of Simpson county.

An act to allow an additional Justice of the Peace to Barren county.

An act to repeal the law in relation to private pass-ways in the county of Mercer, and for other purposes.

An act to establish an additional precinct in the county of Boone.

An act for the benefit of John W. Hazlerigg.

After proceedings as a High Court of Impeachment, as stated on the record,
The Senate adjourned.

WEDNESDAY, FEBRUARY 16, 1848.

A message was received from the House of Representatives, announcing that they had passed bills from the Senate, of the following titles, to-wit:

An act providing for a change of venue in the prosecution against William B. Whitaker.

An act for the benefit of Conrad Havens, and for other purposes.

An act to enlarge the powers of the Trustees of the town of Princeton, and for other purposes.

An act granting certain powers to the Trustees of the town of Russellville.

An act for the benefit of the Walnut Hill Church, in Fayette county.

An act to increase the powers of the Trustees of the town of Hopkinsville.

An act to incorporate the Board of Publication of the Cumberland Presbyterian Church.

An act to amend an act, entitled, an act concerning the town of Albany, in Clinton county, approved 14th February, 1846.

An act to extend the jurisdiction of the Police Judge of the town of Hopkinsville.

An act for the benefit of the heirs of Sarah Roberts and Pricey Brown, deceased, of Caldwell county.

An act to extend the limits of the town of Mortonville, in Woodford county, and to re-establish a Board of Trustees in said town.

An act to incorporate the Missionary Society of the Methodist Episcopal Church South.

An act for the benefit of W. W. Edwards, of Fulton county.

An act to amend an act, entitled, an act to establish the town of Brooksville, in Bracken county.

An act for the benefit of Martin Mannon, of McCracken county.

An act increasing the powers of the Trustees of the Princeton Seminary, and for other purposes.

An act to incorporate the Walnut Street Christian Church, of the city of Louisville.

An act to amend the laws concerning the town of Greenville, in Muhlenburg county.

An act to amend the charter of the town of Hardinsburg.

An act for the benefit of the heirs of Hubbard B. Smith, deceased.

With an amendment to the bill last named, which amendment was concurred in.

That they had passed bills of the following titles, to-wit:

1. An act for the benefit of John Swansey's heirs, of Crittenden county.
2. An act to exempt keepers of public ferries, in Morgan county, from working on roads.
3. An act for the benefit of N. E. Wright.
4. An act for the benefit of John Rose and Elijah Chambers, of Morgan county.
5. An act for the benefit of the Cumberland County Court.
6. An act to incorporate the Chestnut Street Presbyterian Church of Louisville.
7. An act to authorize the Sergeant of the Court of Appeals to collect costs.
8. An act to enlarge the powers of the Trustees of the town of Mt. Washington, in Bullitt county.
9. An act to amend the road law in the county of Knox.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional rule as to second reading of said bills being dispensed with, they were referred—the 1st, 2d and 7th to the committee on the Judiciary; the 3d and 4th to the committee on Finance; the 5th and 8th to the committee on Propositions and Grievances; the 9th to the committee on Internal Improvement; and the 6th was ordered to be read a third time.

The constitutional rule as to the third reading of the 6th bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

On the motion of Mr. Evans, leave was given to withdraw the petitions and remonstrances in relation to the establishment of a new medical school in Louisville.

1. Mr. Grey presented the petition of Lumima Dycus, of Christian county, praying for the passage of a law divorcing her from her husband, James Dycus.

2. Mr. Grey also presented the petition of George O. Thompson, Jailer of Christian county, in relation to a claim allowed him by the Christian Circuit Court.

3. Mr. Fox presented the petition of sundry citizens of the town of Somerset, praying for the passage of a law enlarging the bounds of said town.

4. Mr. Rice presented the petition of sundry citizens of Lawrence county, praying for the passage of a law declaring Big Blain a navigable stream.

5. Mr. Slaughter presented a certificate of the President and Secretary of the Bardstown and Green river turnpike road, in relation to the claim of Spottswood Wills against the said company.

Which petitions were severally received and referred—the 1st to the committee on Religion; the 2d to the committee on the Judiciary; the 3d to the committee on Propositions and Grievances; and the 4th and 5th to the committee on Internal Improvement.

A bill from the House of Representatives, entitled, an act authorizing the County Court of Mason county to sell and convey certain public property in the said county, and for other purposes, was read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Leave was given to bring in the following bills, to-wit:

On the motion of Mr. Draffin—1. A bill to abolish the original jurisdiction of the Court of Appeals in cases of ferries and mills.

On the motion of Mr. Boyd—2. A bill for the payment of the Commonwealth's witnesses in the impeachment against John A. Duff.

On the motion of Mr. Brien—3. A bill to authorize the County Court of Marshall to sue the County Court of Calloway for her portion of the Seminary lands belonging to said Court.

On the motion of Mr. Thomas—4. A bill to incorporate the town of Jamestown, in Campbell county.

Messrs. Draffin, Hardin and Rice were appointed a committee to prepare and bring in the 1st; Messrs. Boyd, McMillan and Hardin the 2d; Messrs. Brien, James, Marshall and Helm the 3d; and the committee on the Judiciary was directed to prepare and bring in the 4th.

Mr. Hobbs, from a select committee, reported a bill to incorporate the Louisville and Taylorsville Turnpike Road Company, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading of said bill being dispensed with, it was referred to the committee on Internal Improvement.

A message was received from the House of Representatives, announcing that they had passed a bill from the Senate, entitled, an act to provide for a settlement with the present Keeper of the Penitentiary, the election of a Keeper or Keepers, and for other purposes, with amendments.

After a short time a message was received from the House of Representatives, asking leave to withdraw the said report, which was granted, and the bill withdrawn.

Mr. Hardin, from the committee on the Judiciary, to whom was referred a bill from the House of Representatives, entitled, an act to change the time of holding the Christian Circuit and County Courts, and for other purposes, reported the same with amendments.

The first section of said bill reads as follows, to-wit:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That hereafter the Circuit Court of Christian county shall be held on the *second* Mondays in the months of May and November, of each year, and shall continue twenty four juridical days, if the business shall require it; and the County Court of said county, now holden on the first Mondays of said months, shall hereafter be held on the last Mondays in October and April.

The first amendment reported by the committee proposes to strike out the word "second," printed in italics, and insert in lieu thereof the word "first."

The question being taken on concurring in the said amendment, it was decided in the negative, and so the said amendment was disagreed to.

The yeas and nays being required thereon by Messrs. Patterson and Hawkins, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Hawkins,	Rice,	Walker,
Henderson,	Swope,	Wall—8.
Patterson,	Taylor,	

Those who voted in the negative, were—

Messrs. Boyd,	Grey,	McNary,
Bradley,	Hambleton,	Slaughter,
Brien,	Hardin,	Thomas,
Draffin,	Marshall,	Thurman,
English,	McMillan,	White—16.
Fox,		

The second amendment was also disagreed to.

The said bill was amended, and

The hour of 12 o'clock having arrived, the Senate proceeded to the consideration of the orders of the day.

Resolved, That the Senate concur in the amendments proposed by the House of Representatives, to bills and resolutions from the Senate, of the following titles, to-wit:

An act establishing election precincts in Taylor county.

An act for the benefit of Captains Adam D. Stewart and S. L. Alexander, of the U. S. Army, now in Mexico.

Resolutions complimentary to Major General Winfield Scott, and the officers and soldiers under his command.

Bills from the House of Representatives, of the following titles, were severally read the first time, to-wit:

1. An act for the benefit of William Mullen, of Wayne county, and others.
2. An act to provide for the running and marking the dividing line between the counties of Russell, Casey and Pulaski.
3. An act to change the State road from Hopkinsville to Gray's ferry.
4. An act to incorporate the Philomathean Society of the Kentucky Military Institute.
5. An act to amend the militia laws.
6. An act for the benefit of the Board of Internal Improvement.
7. An act for the benefit of Common Schools in the town of Portland.
8. An act to establish the town of Buena Vista, in Russell county.
9. An act for the benefit of the Sheriff of Laurel county.
10. An act to amend the Trustee law of the town of London.
11. An act to repeal an act, entitled, an act to prevent the sale of spirituous liquors within the town of Lagrange, and one mile therefrom, approved January 29, 1846.
12. An act for the benefit of Ann H. Cundiff, of Clay county.
13. An act for the benefit of Price Snyder, of Simpson county.
14. An act to allow an additional Justice of the Peace to Barren county.
15. An act to enlarge the limits of the town of Cadiz.
16. An act to repeal the law in relation to private pass-ways in the county of Mercer, and for other purposes.
17. An act for the benefit of John W. Hazlerigg.
18. An act for the benefit of Martha Jane Webb and Mary Jane Newland.
19. An act for the benefit of William H. Curtis, of Monroe county.
20. An act for the benefit of Joseph Willis Hamilton.
21. An act for the benefit of M. C. Hughes, Surveyor of Owsley county.
22. An act to incorporate the Crittenden Mining Company.
23. An act for the benefit of J. W. Mobley, of Todd county.
24. An act to allow additional Constables to Logan, Washington, Fleming and Pendleton counties.
25. An act for the benefit of the Morgan County Court.
26. An act to amend the road law in the county of Clarke, and for other purposes.
27. An act to incorporate the town of Monticello.

Ordered, That said bills be read a second time.

The constitutional rule as to the second reading of said bills being dispensed with, they were referred—the 1st, 8th, 19th, 21st, 22d, 25th and 27th to the committee on the Judiciary; the 2d, 10th, 11th, 12th, 13th, 14th, 15th, 18th, 20th and 24th to the committee on Propositions and Grievances; the 3d, 6th, 16th and 26th to the committee on Internal Improvement; the 4th and 7th to the committee on Education; the 5th to the committee on Military Affairs; and the 9th, 17th and 23d to the committee on Finance.

A bill from the House of Representatives, entitled, an act to establish an additional election precinct in the county of Boone, was read the first time, and laid on the table.

A bill from the House of Representatives, entitled, an act to incorporate a fire company in the town of Winchester, was read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A bill from the House of Representatives, entitled, an act to modify the act of 1833, prohibiting the importation of slaves into this State, was read the first time as follows, to-wit:

SEC. 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That from and after the passage of this act, the citizens of this Commonwealth shall be and are hereby privileged and permitted to import and bring into this State, from any one of the States of this Union, any slave or slaves for their own use: *Provided*, That the person or persons, so importing said slave or slaves, shall, within sixty days after said importation, make oath or affirmation before the Clerk of the county where said slave or slaves were imported, that said slave or slaves were imported in good faith for his, her or their own use and private benefit, and not as merchandise or for speculation or sale; and shall, also, make out a true and correct list of said slave or slaves; and shall, also, make an affidavit, and file the same with the Clerk of the County Court, that the said list is true and correct; which list and affidavit aforesaid shall be recorded by the Clerk in his office; and the Clerk, for recording the affidavit and list aforesaid, shall receive from the person or persons importing said slave or slaves, the sum of fifty cents for one slave, and ten cents for each additional slave, as a fee therefor.

SEC. 2. *Be it further enacted*, That if any person or persons shall falsely, take the oaths prescribed in the first section of this act, shall be deemed guilty of the crime of perjury, and shall, upon conviction, undergo a confinement in the jail and penitentiary house of this Commonwealth for a term of two years.

SEC. 3. *Be it further enacted*, That if any person or persons shall hereafter remove to this State, bringing any person or persons deemed slaves by the laws of any one of the United States, and go before any Justice of the Peace of the county, and make oath that he, she or they have brought no slave or slaves for merchandise or sale, such person or persons shall not in-

cur the penalty of the act, entitled, "an act to amend the law prohibiting the importation of slaves into this State."

SEC. 4. That if any person or persons shall sell or caused to be sold, within this State, any slave or slaves, imported by him, her or them, under the provisions of this act, within three years after such importation, he, she or they shall be held and deemed guilty of importing slaves into this Commonwealth for merchandise, and liable to all the penalties attached thereto; and the fact of such sale shall be conclusive as to the intention to import slaves for merchandise.

SEC. 5. That all acts or parts of acts, coming within the purview of this act, are hereby repealed.

The second reading of said bill being objected to by Mr. Boyd,

The question was taken, "shall the bill be rejected?" and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Patterson and Walker, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Boyd,	Hobbs,	Speed Smith,
Fox,	Holloway,	Taylor,
Hardin,	McMillan,	Thomas,
Hawkins,	Patterson,	Todd,
Helm,	Russell,	Wall,
Henderson,	Slaughter,	Williams—18.

Those who voted in the negative, were—

Messrs. Bradley,	Grey,	Rice,
Bramlette,	Hambleton,	Swope,
Brien,	James,	Thurman,
Draffin,	Marshall,	Walker,
English,	McNary,	White—16.
Evans,		

An engrossed bill, entitled, an act to incorporate the Rough and Ready Turnpike Road Company, in Boone county, was read the third time.

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A bill to amend the penal laws, was taken up.

Ordered, That said bill be engrossed and read a third time.

The constitutional rule as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Bradley and Hardin were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Draffin,	Helm,	Taylor,
Evans,	Holloway,	Thomas,
Grey,	McNary,	Thurman,

Hambleton,
Hardin,
Hawkins,

Patterson,
Rice,
Swope,

Todd,
Wall,
White—18.

Those who voted in the negative, were—

Messrs. Boyd,
Bradley,
Brien,

English,
Marshall,
McMillan,

Walker,
Williams—8.

Resolved, That the title of said bill be as aforesaid.

The following bills were reported from select committees, to-wit:

By Mr. Draffin—A bill to abolish the original jurisdiction of the Appellate Court in cases of ferries and mills.

By Mr. Boyd—A bill to pay the witnesses for the State in the trial of the impeachment of John A. Duff.

By same—A bill to amend the laws concerning usury.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading of said bills being dispensed with, they were referred to the committee on the Judiciary.

A message in writing, was received from the Governor, by Mr. Mitchell, Assistant Secretary of State.

The rule of the Senate being dispensed with, the said message was taken up, and read as follows, to-wit:

Gentlemen of the Senate:

I nominate for your advice and consent, Gordon L. Ford to be Commissioner of Deeds, &c., for Kentucky, in the State of New York.

William P. Saufley to be Police Judge of the town of Burksville, in place of William F. Owsley, resigned.

John H. Van Culin to be Notary Public of Christian county.

WM. OWSLEY.

Resolved, That the Senate advise and consent to the said appointments.

After proceedings as a High Court of Impeachment, as stated on the record,

The Senate adjourned.

THURSDAY, FEBRUARY 17, 1848.

A message was received from the House of Representatives, announcing that they had passed a bill from the Senate, entitled, an act to provide for a settlement with the present Keeper of the Penitentiary, the election of a Keeper or Keepers, and for other purposes, with amendments, which amendments were concurred in.

That they had adopted resolutions in relation to the boundary between the States of Ohio, Indiana, Illinois and Kentucky.

A message was received from the Governor, by Mr. Reed, Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to establish the Cumberland river, Fair View and Green river road.

An act authorizing the County Court of Nicholas to subscribe stock in the Carlisle and Sharpsburg Turnpike Road Company.

An act to change the time of holding the Hopkins County Court.

An act to change in part the old State road from Owingsville to Big Sandy.

An act to amend an act, entitled, an act to establish the Fountain's Ferry Turnpike Road Company.

An act appropriating the proceeds of the sale of vacant lands in Nicholas county, to purposes of Internal Improvement within said county.

An act repealing all laws declaring Bull Skin, in Clay county, a navigable stream.

An act for the benefit of Calvin and Mary Johnson, of Clinton county, and Elizabeth Ann Deacon and Thomas Deacon, of Bullitt county.

An act to incorporate the Lexington and Newtown Turnpike Road Company.

Approved February 10, 1848.

A message, in writing, was received from the Governor, by Mr. Reed, Secretary of State.

The rule of the Senate being dispensed with, the said message was taken up, and read as follows, to-wit:

Gentlemen of the Senate :

I nominate for your advice and consent, B. Mills Crenshaw to be Judge of the 18th Judicial District, in place of Richard A. Buckner, deceased.

WM. OWSLEY.

Resolved, That the Senate advise and consent to the said appointment.

1. Mr. English presented the petition of John F. Gaunt and Rebecca, his wife, of Henry county, praying for the passage of a law authorizing the sale of certain land lying on the waters of Drennon's creek, in said county, the property of said Gaunt and wife.

2. Mr. English also presented the petition of the County Court of Trimble county, praying for the passage of a law to amend the act, entitled, an act to amend the road law in the county of Trimble, approved January 18, 1848.

Which petitions were severally received and referred—the 1st to the committee on the Judiciary; and the 2d to a select committee of Messrs. English Bradley and Draffin.

Mr. James presented to the Senate a certified copy of the act to incorporate the Mobile and Ohio Railroad Company, passed by the Legislature of Alabama, and approved by the Governor of that State on the 3d of February, 1848.

Which was received and referred to the committee on Internal Improvement.

Mr. Patterson, from the committee on the Judiciary, reported a bill to change the time of holding the Crittenden Circuit Court, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Hobbs read and laid on the table the following joint resolution, to-wit:

Resolved by the General Assembly of the Commonwealth of Kentucky, That they will, on next Saturday, at 12 o'clock, by joint vote, proceed to elect a Keeper of the Penitentiary, as provided for in the act in relation to the Penitentiary, passed during the present session.

The rule of the Senate being dispensed with, the said resolution was taken up, twice read and adopted.

A message, in writing, was received from the Governor, by Mr. Reed, Secretary of State.

The rule of the Senate being dispensed with, the said message was taken up, and read as follows, to-wit:

Gentlemen of the Senate:

I nominate for your advice and consent, John E. Newman to be Notary Public of Livingston county, in place of James L. Dallam, who declined the office.

WM. OWSLEY.

Resolved, That the Senate advise and consent to the said appointment.

On the motion of Mr. Boyd, leave was given to bring in a bill to incorporate the Flemingsburg and Elizaville Turnpike Road Company, and the committee on Internal Improvement was directed to prepare and bring in the same.

An engrossed bill, entitled, and act to incorporate the Hamilton and New Lancaster Turnpike Road Company, was read the third time, and amended by way of engrossed ryder.

Resolved, That said bill do pass, and that the title thereof be amended by adding, "and Hodgenville Turnpike Road Company."

The Senate resumed the consideration of a bill from the House of Representatives, entitled, an act to change the time of holding the Christian Circuit and County Courts, and for other purposes.

Ordered, That said bill be read a third time, as amended.

The constitutional rule as to the third reading being dispensed with,

The question was taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Walker and Grey, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Boyd,	Hawkins,	Patterson,
Bradley,	Heady,	Speed Smith,
Brien,	Helm,	Swope,
Draffin,	Hobbs,	Thomas,
Fox,	Holloway,	Thurman,
Grey,	James,	Todd,
Hambleton,	McMillan,	Wall,
Hardin,	McNary,	Williams—24.

Those who voted in the negative, were—

Messrs. Bramlette,	Marshall,	Taylor,
Evans,	Rice,	Walker—7.
Henderson,		

Resolved, That the title of the said bill be as aforesaid.

A message was received from the Governor, by Mr. Mitchell, Assistant Secretary of State.

The rule of the Senate being dispensed with, the said message was taken up and read as follows, to-wit:

Gentlemen of the Senate:

James Davidson, Treasurer, elect, offers as his securities for the present year, Jacob Swigert, Austin P. Cox and A. G. Hodges, and the consent of the Senate is asked for their acceptance. WM. OWSLEY.

Resolved, That the Senate approve of the said securities.

A bill to incorporate the Lexington and Frankfort Railroad Company, was taken up and amended, and the said bill was made the special order of the day for Saturday next, at 10 o'clock.

On the motion of Mr. Evans, leave was given to bring in a bill for the benefit of the Superintendent of Public Instruction, and the committee on Education was directed to prepare and bring in the same.

After a short time Mr. Evans reported the said bill, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A bill to fix the ratio and apportion the representation in the Senate and House of Representatives, for the ensuing four years, was taken up and made the special order of the day for to-morrow, at 10 o'clock.

Mr. Hardin, from the committee on the Judiciary, reported the following bills, viz :

A bill to authorize the Green County Court to sell the old Clerk's office of Green county.

A bill to extend the limits of the town of Hamilton, in Boone county.

A bill to provide for a change of venue in the prosecution against Asa Sisk.

A bill to provide for a change of venue in the prosecution against William Peyton.

A bill for the benefit of the legatees of James Cowan, deceased.

A bill to amend an act, entitled, an act to incorporate the Shepherdsville Iron Manufacturing Company, approved February 9, 1847.

A bill for the benefit of James Calhoun, and John Hill and wife.

A bill for the benefit of Louisa V. Newman and her husband.

A bill for the benefit of Henry Stemmons and his wife, and others.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Hardin, from the same committee, to whom was referred a bill to pay the witnesses for the State in the trial of the impeachment of John A. Duff, reported the same without amendment.

Ordered, That said bill be engrossed and read a third time.

The constitutional rule as to the third reading of the said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Hardin, from the same committee, reported a bill to amend an act, entitled, an act to amend an act concerning ferries, approved February, 1820, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading of said bill being dispensed with, it was placed in the orders of the day.

Mr. Hardin, from the same committee, to whom was referred the petition of Emily Lewis, reported the following resolution thereon, to-wit:

Resolved, That said petition be rejected.

Which was concurred in.

Mr. Hardin, from the same committee, to whom was referred the petition of Bennet W. Terry, administrator of Washington Wines, deceased, reported the following resolution thereon, to-wit:

Resolved, That said petition be rejected.

Which was concurred in.

Mr. Hardin, from the same committee, to whom was referred the petition of George W. Brush, guardian of Mary E. Welsh, reported the following resolution thereon, to-wit:

Resolved, That said petition be rejected.

Mr. Hardin, from the same committee, to whom was referred the petition of Abraham Hite, guardian of Sarah E. Snead, reported the following resolution thereon, to-wit:

Resolved, That said petition be rejected.

Which was concurred in.

Mr. Hardin, from the same committee, to whom was referred the petition of William Ward, reported the following resolution thereon, to-wit:

Resolved, That said petition be rejected.

Which was concurred in.

Mr. Hardin, from the same committee, to whom was referred the petition of Julia E. Crowders, reported the following resolution thereon, to-wit:

Resolved, That said petition be rejected.

Which was concurred in.

Mr. Hardin, from the same committee, to whom was referred bills from the House of Representatives, of the following titles, to-wit:

An act to amend an act, entitled, an act for the benefit of Nancy Pointer, approved February 25, 1847.

An act for the benefit of Davenport Jones, of Christian county.

An act to legalize the proceedings of the Graves County Court.

An act to legalize the election of the Trustees of the town of Owenboro'.

An act to legalize the proceedings of the Ohio County Court at their January Term, 1848, and for other purposes.

An act to incorporate the "The German Roman Catholic Benefit Society, of Covington."

Reported the same without amendment.

Ordered, That said bills be read a third time.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Hardin, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act to amend proceedings in criminal and penal cases, reported the same, with the opinion of the committee that it ought not to pass.

The further consideration of the said bill was postponed, and it was made the special order for the day on Monday next, the 21st inst.

Mr. Hardin, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act to amend the law regulating proceedings in chancery, reported the same, with the opinion of the committee that it ought not to pass.

The question being taken on reading said bill a third time, it was decided in the negative, so the said bill was disagreed to.

Mr. McNary, from the joint committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, to-wit:

An act to incorporate the Lebanon, New Market and Springfield Turnpike Road Company.

An act regulating the terms of the Circuit and County Courts of Taylor, and for other purposes.

An act for the benefit of Theodore L. Burnett.

An act to run and mark a part of the line between Jefferson and Shelby counties.

An act to enlarge the powers of the Trustees of the town of Louisa.

An act to incorporate the Lexington Female High School.

An act to continue in force the 4th and 8th sections of an act, entitled, an act to amend the charter of the Louisville and Elizabethtown Turnpike Company, and Covington and Lexington Turnpike Company.

An act to incorporate the Lancaster Cemetery Company.

An act for the benefit of James T. Locknane.

An act for the benefit of William Rowlett, of Owen county.

An act for the benefit of the Sheriffs of Hopkins and Crittenden counties, and the late Sheriff of Hickman county.

An act laying off the County of Trimble into four Constable's Districts, and for other purposes.

And engrossed bills which originated in the House of Representatives, of the following titles, to-wit:

An act to establish a State road from Thomas Dance's tavern, in Pendleton county, to intersect the Colemansville and Covington road, at or near Fisksburg, in Kenton county.

An act to incorporate the Taylor's Mill Turnpike Road Company.

An act to amend the charter of the Oakland Turnpike Road Company.
And had found the same truly enrolled.

The said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approbation and signature. After a short time Mr. McNary reported that the committee had performed that duty.

After proceedings as a High Court of Impeachment, as stated on the record,
The Senate adjourned.

FRIDAY, FEBRUARY 18, 1848.

A message was received from the House of Representatives, announcing that they had concurred in the amendment proposed by the Senate, to a bill from that House, entitled, an act to change the time of holding the Christian Circuit and County Courts, and for other purposes.

That they had disagreed to a bill from the Senate, entitled, an act to amend the several acts incorporating the town of Paducah.

That they had passed bills from the Senate, of the following titles, to-wit:

An act to change the time of holding the Crittenden Circuit Court.

An act to pay the witnesses for the State in the trial of the impeachment of John A. Duff.

That they had concurred in the adoption of a resolution from the Senate fixing a day for the election of a Keeper of the Penitentiary.

That they had adopted a resolution fixing a day for the final adjournment of the General Assembly.

Mr. Williams moved the following resolution, to-wit:

Resolved, That the Sergeant-at-Arms do remove from the Senate Chamber, the chairs therein, and that he furnish a set of chairs for the same, such as those in the Representatives Hall.

The said resolution was laid on the table.

Mr. Fox, from a select committee, reported a bill to amend the act to enlarge the town of Stanford, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

On the motion of Mr. Evans, leave was given to bring in a bill to establish Washington College, in the county of Allen, and the committee on Education was directed to prepare and bring in the same.

Mr. McNary, from the joint committee on Enrollments, reported that the committee had examined enrolled bills and resolutions, which originated in the Senate, of the following titles, to-wit:

An act to change time of holding the Crittenden Circuit Court.

An act to pay the witnesses for the State in the trial of the impeachment of John A. Duff.

An act for the benefit of the heirs of Hubbard B. Smith, deceased.

An act to enlarge the powers of the Trustees of the town of Princeton, and for other purposes.

An act to incorporate the Hopkinsville and Cumberland River Railroad Company.

An act to provide for a settlement with the present Keeper of the Penitentiary, the election of a Keeper or Keepers, and for other purposes.

An act to amend the laws concerning the town of Greenville, in Muhlenburg county.

An act to amend an act, entitled, an act concerning the town of Albany, in Clinton county, approved 14th February, 1846.

An act for the benefit of W. W. Edwards, of Fulton county.

An act for the benefit of Martin Mannon, of McCracken county.

An act for the benefit of the Walnut Hill Church, in Fayette county.

An act providing for a change of venue in the prosecution against William B. Whitaker.

An act to amend the charter of the town of Hardinsburg.

An act to extend the jurisdiction of the Police Judge of the town of Hopkinsville.

An act granting certain powers to the Trustees of the town of Russellville.

An act for the benefit of Conrad Havens, and for other purposes.

An act establishing precincts in Taylor county, and for other purposes.

An act to extend the limits of the town of Mortonville, in Woodford county, and to re-establish a Board of Trustees in said town.

An act for the benefit of Captains Adam D. Stewart and T. L. Alexander, of the U. S. Army, now in Mexico.

An act to incorporate the Missionary Society of the Methodist Episcopal Church South.

An act to increase the powers of the Trustees of the town of Hopkinsville.

An act for the benefit of the heirs of Sarah Roberts and Pricey Brown, deceased, of Caldwell county.

An act to incorporate the Board of Publication of the Cumberland Presbyterian Church.

An act increasing the powers of the Trustees of the Princeton Seminary, and for other purposes.

An act to incorporate the Walnut Street Christian Church, of the city of Louisville.

Resolutions complimentary to Major General Winfield Scott, and the officers and soldiers under his command.

And had found the same truly enrolled.

The said bills and resolutions having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approbation and signature. After a short time Mr. McNary reported that the committee had performed that duty.

A message was received from the Governor, by Mr. Reed, Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to incorporate the Lebanon, New Market and Springfield Turnpike Road Company.

An act for the benefit of Theodore L. Burnett.

An act regulating the terms of the Circuit and County Courts of Taylor, and for other purposes.

An act to enlarge the powers of the Trustees of the town of Louisa.

An act to run and mark a part of the line between Jefferson and Shelby counties.

An act to incorporate the Lexington Female High School.

An act for the benefit of William Rowlett, of Owen county.

An act for the benefit of James T. Locknane.

An act laying off the county of Trimble into four Constable's Districts, and for other purposes.

An act for the benefit of the Sheriff of Hopkins and Crittenden counties, and the late Sheriff of Hickman county.

An act to continue in force the 4th and 8th and sections of an act, entitled, an act to amend the Charter of the Louisville and Elizabethtown Turnpike Company, and Covington and Lexington Turnpike Company.

An act to incorporate the Lancaster Cemetery Company.

An act to pay the witnesses for the State in the trial of the impeachment of John A. Duff.

An act to change the time of holding the Crittenden Circuit Court.

Approved February 18, 1848.

Mr. English, from a select committee, reported a bill to repeal the 13th and 14th sections of an act, entitled, an act to amend the road law in the county of Trimble, approved January 18, 1848, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Senate proceeded to the consideration of the special order of the day, being a bill to fix the ratio and apportion the representation in the Senate and House of Representatives, for the ensuing four years.

The question was taken on the motion heretofore made by Mr. Rice, to amend the bill by striking out two from Nelson and inserting "one," and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Rice and Slaughter, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Bradley,	English,	McNary,
Brien,	Evans,	Rice,
Draffin,	Hambleton,	Thomas—9.

Those who voted in the negative, were—

Messrs. Boyd,	Holloway,	Thornton,
Bramlette,	Marshall,	Thurman,
Fox,	McMillan,	Todd,
Grey,	Patterson,	Walker,
Hardin,	Russell,	Wall,
Hawkins,	Slaughter,	White,
Helm,	Swope,	Williams—23.
Henderson,	Taylor,	

Mr. Draffin moved to amend said bill by striking out, after Mercer, the word "one" and inserting "two," as the number of her representatives.

The question being taken thereon, it was decided in the negative:

The yeas and nays being required thereon by Messrs. Draffin and Evans, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Bradley,	Fox,	Thomas,
Draffin,	Rice,	Thurman,
English,	Speed Smith,	Williams—11.
Evans,	Swope,	

Those who voted in the negative, were—

Messrs. Boyd,	Helm,	Russell,
Bramlette,	Henderson,	Slaughter,
Brien,	Hobbs,	Taylor,
Grey,	Holloway,	Todd,

Hambleton,
Hardin,
Hawkins,

McMillan,
McNary,
Patterson,

Walker,
Wall,
White—21.

The said bill was then, on motion of Mr. White, amended in the second section by inserting, after the word Morgan, the word Pike, so as to make Bath, Morgan, Pike and Floyd compose the 37th Senatorial District; and also, by striking out the word Pike and inserting Estill, so as to make Clay, Breathitt, Letcher, Perry, Harlan, Owsley and Estill compose the 38th Senatorial District; also, by striking out Estill from the 33d District, so as to make Clarke and Montgomery compose the 33d District.

Mr. Fox moved to amend the said bill, in the first section, by striking out the word two after Bourbon, and inserting "one," and by striking out one after Pulaski, and inserting "two," so as to make it read, Bourbon one; Pulaski two, as the number of Representatives.

The question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Fox and Draffin, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Bradley,
Brien,
Draffin,

Evans,
Fox,
McNary,

Rice,
Thurman,
White—9.

Those who voted in the negative, were—

Messrs. Boyd,
Bramlette,
Grey,
Hambleton,
Hardin,
Hawkins,
Helm,
Henderson,

Hobbs,
Holloway,
Marshall,
Patterson,
Russell,
Slaughter,
Speed Smith,

Swope,
Taylor,
Thomas,
Todd,
Walker,
Wall,
Williams—22.

Mr. Evans then moved to amend said bill, in the first section, by striking out after the word Logan the word two, and inserting "one," and by striking out after Warren the word one, and inserting the word "two," so as to read Logan one; Warren two, as the number of Representatives.

The question being taken on the said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Evans and Walker, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Bradley,
Brien,
Draffin,
Evans,

Fox,
Hawkins,
Helm,
Holloway,

Rice,
Thomas,
Todd—11.

Those who voted in the negative, were—

Messrs. Boyd,	Marshall,	Taylor,
Bramlette,	McMillan,	Thornton,
Grey,	Patterson,	Thurman,
Hambleton,	Russell,	Walker,
Hardin,	Slaughter,	Wall,
Henderson,	Speed Smith,	White,
Hobbs,	Swope,	Williams—21.

After proceedings as a High Court of Impeachment, as stated on the record,
The Senate adjourned.

SATURDAY, FEBRUARY 19, 1848.

A message was received from the House of Representatives, announcing that they had received official information that the Governor had approved and signed enrolled bills, which originated in that House, of the following titles, to-wit:

An act to incorporate the Covington and Taylor's Mill Turnpike Road Company.

An act to establish a State road from Thomas Dance's tavern, in Pendleton county, to intersect the Colemansville and Covington Road at or near Fisksburg, in Kenton county.

Approved February 18, 1848.

That they had disagreed to bills from the Senate, of the following titles, viz:

An act for the benefit of Hiram Begley, of Perry county, and for other purposes.

An act to protect parents and guardians.

An act for the benefit of Polly Garrett.

An act for the benefit of the widow and heirs of Jeremiah Joyner, deceased.

An act for the benefit of William Scott.

An act for the benefit of Isaac Bush.

That they had passed bills from the Senate, of the following titles, to-wit:

An act for the benefit of Benjamin W. Burge, of Warren county.

An act for the benefit of the widow and heirs of John Turley, deceased.

An act to amend the act incorporating the town of Greensburg.

An act for the benefit of the infant heirs of Augustus F. Jacob, of Caldwell county.

An act for the benefit of Robert S. Taylor and others.

An act increasing the powers of the Harrison County Court.

An act to incorporate the Logan Manufacturing Company.

An act to amend an act, entitled, an act to increase the powers of the Trustees of the town of Versailles.

An act for the benefit of Joseph C. Harrison, of Boone county, and others.

An act to incorporate the Lebanon Lodge.

An act for the benefit of James L. Ballard and Matilda, his wife.

An act to amend the charter of the Franklin Fire and Marine Insurance Company, of Louisville.

An act for the benefit of the Surveyors of Henry and Lewis counties.

An act to incorporate the Long Run Baptist Church, of Jefferson county.

An act to detach Estill county from the 11th and to add it to the 10th Judicial District.

An act to provide for a change of venue in the prosecution against Francis M. Ewing.

An act concerning guardians.

With amendments to the two bills last named.

That they had passed bills of the following titles, to-wit:

An act to amend the law concerning forfeited recognizances and bail bonds.

An act for the benefit of the mechanics of the town of Newport.

An act for the benefit of Wm. B. Smith, of Warren county, and Wm. S. Green, of Hart county.

An act for the benefit of the administrator of Charles Carter, deceased.

An act for the benefit of the infant children of William Carpenter, deceased, late of Mason county.

An act to amend the charter of the city of Covington.

An act to abolish the original jurisdiction of the Appellate Court in cases of ferries and mills.

An act for the benefit of the town of Newport, in Campbell county.

An act for the benefit of William P. Woolley.

An act to change the time of holding the Estill County Court.

An act to amend the act relating to the town of Georgetown.

An act for the benefit of the Surveyor of Scott county.

An act to amend an act concerning mill dams and other obstructions in water courses, approved 22d February, 1797.

An act for the benefit of the Sheriff of Hart county.

An act to change the time of holding the Oldham Circuit Court.

An act fixing the rates of toll on the Wilderness turnpike road.

An act to establish the office of Police Judge of the town of New Liberty, in Owen county, and regulating the duties thereof.

An act directing a change of venue in the prosecution against John Lamb.

An act for the benefit of Jesse Day, of Morgan county.

An act for the benefit of Ophelia Holloway and Andrew, her son.

An act to amend an act, entitled, an act to incorporate the Lexington Gas Company.

An act for the benefit of the Methodist church in Madison county.

An act to incorporate the Odd Fellows Hall of Newport, Kentucky.

Mr. Boyd, from the committee on Religion, to whom was referred a bill from the House of Representatives, entitled, an act to divorce Elizabeth A. King, reported the same without amendment.

The said bill was amended.

The question being taken on reading said bill a third time, as amended, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Taylor and Boyd, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Bradley,	Fox,	Thomas,
Bramlette,	Hambleton,	Thurman,
Draffin,	Heady,	Wall,
English,	Patterson,	White,
Evans,	Rice,	Williams—15.

Those who voted in the negative, were—

Messrs. Boyd,	Holloway,	Swope,
Brien,	Marshall,	Taylor,
Grey,	McMillan,	Todd,
Hardin,	Speed Smith,	Walker—13.
Helm,		

Mr. Evans moved to dispense with the rule requiring the said bill to be read a third time.

The question being taken thereon, it was decided in the negative, there not being four-fifths in the affirmative.

The yeas and nays being required thereon by Messrs. Swope and Taylor, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Boyd,	Fox,	Patterson,
Bradley,	Hambleton,	Rice,
Bramlette,	Hawkins,	Russell,
Brien,	Heady,	Thomas,
Draffin,	Helm,	Thurman,
English,	Holloway,	Wall,
Evans,	McNary,	Williams—21.

Those who voted in the negative, were—

Messrs. Hardin,	McMillan,	Taylor,
Hobbs,	Speed Smith,	Walker,
Marshall,	Swope,	White—9.

Ordered, That said bill have its third reading on Monday next, at 11 o'clock.

A message, in writing, was received from the Governor, by Mr. Reed, Secretary of State, which was taken up and read as follows, to-wit:

Gentlemen of the Senate and House of Representatives:

In my annual message, communicated to you at the commencement of the present session of the General Assembly, it was shown that there had been an increase of the funded debt of the State, above what it was at the commencement of the preceding General Assembly, by the amount of \$10,159 86. This apparent increase of the debt, grew out of the fact that the holders of the Kentucky State Bonds that were due, failed to present them at the Treasury for payment, as they were notified, by proclamation, to do.

The act of the present session of the General Assembly, with regard to those bonds, has had the desired effect of forcing them in for redemption, and, I am gratified to be able to state to you, that since the commencement of the present session, there has been paid off of the public debt:

6 per cent. 6 years bonds,	-	-	-	-	\$14,600 00
6 per cent. 6 years Railroad bonds,	-	-	-	-	1,000 00
5 per cent. bond,	-	-	-	-	1,000 00

Total amount of payments,	-	-	-	-	\$16,600 00
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Thus, not only has the increase of the debt been paid off, but the debt itself has been reduced below the minimum at which it stood when the increase took place.

The means of the Sinking Fund have not only been sufficient to diminish the debt, as above stated, but there remains at this time, in the Treasury, to the credit of the Sinking Fund, the amount of \$177,182 37. This amount, together with the anticipated receipts, will enable the Commissioners, in the course of the present year, to meet promptly the accruing interest of the debt, and to diminish, still further, the principal of the debt to the extent stated in my message at the commencement of the session.

Supposing you would like to have a knowledge of this change in the State debt, and of the present prosperous condition of our financial affairs, to bear home to your constituents, I have felt called on to communicate them.

WM. OWSLEY.

1. Mr. Grey presented the petition of sundry citizens of Todd county, praying for the passage of a law to incorporate a company to construct a turnpike road from Elkton to the Tennessee line.

2. Mr. Swope presented the petition of sundry citizens of Pendleton county, praying for the passage of a law establishing an election precinct in said county.

Which petitions were severally received and referred—the 1st to the committee on Internal Improvement, and the 2d to the committee on Privileges and Elections.

A message was received from the House of Representatives, asking leave to withdraw the report of the disagreement, by that House, to a bill from the Senate, entitled, an act for the benefit of Isaac Bush, which leave was granted, and the bill withdrawn.

Mr. Bradley, from the joint committee on Enrollments, reported that the committee had examined an enrolled resolution, which originated in the Senate, fixing a day for the election of a Keeper of the Penitentiary.

And had found the same truly enrolled.

The said resolution having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and it was delivered to the committee to be presented to the Governor for his approbation and signature. After a short time Mr. Bradley reported that the committee had performed that duty.

A message was received from the Governor, by Mr. Reed, Secretary of State, announcing that the Governor had approved and signed enrolled bills and resolutions, which originated in the Senate, of the following titles, viz:

An act to enlarge the powers of the Trustees of the town of Princeton, and for other purposes.

An act for the benefit of the heirs of Hubbard B. Smith, deceased.

An act for the benefit of the Walnut Hill Church, in Fayette county.

An act granting certain powers to the Trustees of the town of Russellville.

An act to provide for a settlement with the present Keeper of the Penitentiary, the election of a Keeper or Keepers, and for other purposes.

An act to amend an act, entitled, an act concerning the town of Albany, in Clinton county, approved 14th February, 1846.

An act to amend the laws concerning the town of Greenville, in Muhlenburg county.

An act for the benefit of Martin Mannon, of McCracken county.

An act for the benefit of W. W. Edwards, of Fulton county.

An act for the benefit of Conrad Havens, and for other purposes.

An act to extend the jurisdiction of the Police Judge of the town of Hopkinsville.

An act to amend the charter of the town of Hardinsburg.

An act providing for a change of venue in the prosecution against William B. Whitaker.

An act to extend the limits of the town of Mortonville, in Woodford county, and to re-establish a Board of Trustees in said town.

An act establishing precincts in Taylor county, and for other purposes.

An act to increase the powers of the Trustees of the town of Hopkinsville.

An act to incorporate the Missionary Society of the Methodist Episcopal Church South.

An act for the benefit of Captains Adam D. Stewart and T. L. Alexander, of the U. S. Army, now in Mexico.

An act for the benefit of the heirs of Sarah Roberts and Pricey Brown, deceased, of Caldwell county.

An act to incorporate the Board of Publication of the Cumberland Presbyterian Church.

Approved February 18, 1848.

An act to incorporate the Walnut Street Christian Church, of the city of Louisville.

An act increasing the powers of the Trustees of the Princeton Seminary, and for other purposes.

An act to incorporate the Hopkinsville and Cumberland River Railroad Company.

Approved February 19, 1848.

Resolutions complimentary to Major General Winfield Scott, and the officers and soldiers under his command.

Approved February 18, 1848.

A resolution fixing a day for the election of a Keeper of the Penitentiary.

Approved February 19, 1848.

A resolution from the House of Representatives, fixing a day for the final adjournment of the General Assembly, was taken up, twice read and adopted.

On the motion of Mr Hobbs,

Ordered, That a message be sent to the House of Representatives, to inform them that the Senate is now ready, in pursuance of the joint order of the day, to proceed to the election of a Keeper of the Penitentiary; and Mr. Hobbs was directed to carry said message.

A message was received from the House of Representatives, by Mr. Barlow, announcing that the House of Representatives are ready to proceed to said election.

Mr. J. Speed Smith nominated Mr. Newton Craig as a proper person for Keeper of the Penitentiary.

Ordered, That Mr. J. Speed Smith inform the House of Representatives that Mr. Craig stands in nomination before the Senate for that office.

A message was received from the House of Representatives, by Mr. Barlow, announcing that Mr. Craig was in nomination before that House.

Mr. Craig received the unanimous vote of the Senate for said office.

Messrs. Hobbs, J. Speed Smith and Williams were appointed a committee to compare and report the joint vote.

Mr. Hobbs reported that Mr. Newton Craig had received the unanimous vote of both Houses for said office.

Whereupon he was declared duly elected Keeper of the Penitentiary.

Mr. Walker, from the committee on Propositions and Grievances, to whom was referred a bill from the House of Representatives, entitled, an act to allow additional Constables to Logan, Washington, Fleming and Pendleton counties, reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Todd, from the committee on Finance, reported a bill for the benefit of Thomas Rankin, Jailer of Harrison county, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bill being dispensed with, and the same being engrossed,

The question was taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Draffin and Wall, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Boyd,	McMillan,	Thornton,
Bramlette,	Patterson,	Thurman,
English,	Rice,	Todd,
Fox,	Russell,	Walker,
Grey,	Speed Smith,	Wall,
Helm,	Swope,	White,
James,	Thomas,	Williams—21.

Those who voted in the negative, were—

Messrs. Bradley,	Hambleton,	Holloway,
Brien,	Hardin,	Marshall,
Draffin,	Heady,	McNary—11.
Evans,	Henderson,	

Resolved, That the title of said bill be as aforesaid.

Mr. Taylor having obtained leave, reported a bill supplementary to an act incorporating the Paris, Winchester and Kentucky River Turnpike Road Company, and the North Middletown Turnpike Road Company, and for other purposes, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Leave was given to bring in the following bills, to-wit:

On the motion of Mr. Swope—1. A bill to amend the charter of the Falmouth Bridge Company.

On the motion of Mr. Wall—2. A bill for the benefit of the Sheriff of Harrison county.

The committee on Internal Improvement was directed to prepare and bring in the 1st, and Messrs. Wall, Todd and Boyd were appointed a committee to prepare and bring in the 2d.

The Senate proceeded to the consideration of a bill to incorporate the Lexington and Frankfort Railroad Company.

Mr. Helm moved an amendment to said bill, which was discussed for some time.

After proceedings as a High Court of Impeachment, as stated on the record, The Senate adjourned.

MONDAY, FEBRUARY 21, 1848.

A message was received from the House of Representatives, announcing that they had concurred in the amendments proposed by the Senate, to a bill from that House, entitled, an act to incorporate the Paris, Winchester and Kentucky River Turnpike Road Company, and North Middletown Turnpike Road Company.

That they had passed a bill from the Senate, entitled, an act to revive and amend the charter of the Shepherdsville and Louisville Turnpike Road Company, with amendments.

That they had passed bills of the following titles, to-wit:

1. An act to change the name of James Riley Hammon, and for other purposes.
2. An act allowing an additional Constable to Wayne county, and for other purposes.
3. An act to legalize the acts of William Teal, Constable of Owen county.
4. An act to amend the act requiring the several County Courts to procure a set of weights and measures, approved February 1, 1839.
5. An act to change a part of the State road leading from Bowling-green to Greenville.

6. An act for the benefit of John H. Parish, Surveyor of Madison county.
7. An act for the benefit of Garnett A. Dowell.
8. An act for the benefit of Thomas Phipps, late Sheriff of Ohio county.
9. An act to amend an act to incorporate the Carlisle and Sharpsburg Turnpike Road Company.
10. An act for the benefit of George Johnson, late Sheriff of Union county, and for other purposes.
11. An act to change a part of the State road in Kenton county.
12. An act to authorize the Court of Appeals of the 49th Regiment of Kentucky Militia to hear appeals in certain cases.
13. An act for the benefit of George W. Boyd, Drury W. Taylor and Isham J. Jones.
14. An act to allow special terms of the Cumberland, Floyd and Pendleton Circuit Courts.

Which bills were severally read the first time.

The 9th bill was laid on the table.

Ordered, That the 1st, 2d, 3d, 4th, 5th, 6th, 7th, 8th, 10th, 11th, 12th, 13th and 14th bills be read a second time.

The constitutional rule as to the second reading of said bills being dispensed with, they were referred—the 1st, 2d and 13th to the committee on Propositions and Grievances; the 3d, 4th, 6th, 7th and 14th to the committee on the Judiciary; the 8th and 10th to the committee on Finance; the 11th to the committee on Internal Improvement; the 12th to the committee on Military Affairs; and the 5th was referred to a select committee of Messrs. McNary, Evans and Walker.

1. Mr. Slaughter presented the petition of S. W. D. Stone, of the town of Hodgenville, praying for the passage of a law to incorporate a Seminary of learning in said town.

2. Mr. Slaughter also presented the petition of sundry citizens of Nelson county, in favor of the passage of a law to Lock and Dam the Beech fork.

3. Mr. Helm presented the petition of H. L. Board, guardian of Elizabeth E. Clark, praying for the passage of a law authorizing him to sell a negro boy, the property of said Elizabeth E. Clarke.

4. Mr. Hobbs presented the petition of sundry citizens of Jefferson county, praying for the passage of a law reviving the 17th section of the original act incorporating the Louisville and Elizabethtown Turnpike Road Company.

5. Mr. Hambleton presented the petition of sundry citizens of Breckinridge county, praying for the passage of a law to change the location of the State road leading from the mouth of Salt river to Bowlinggreen, where it crosses Rough creek.

Which petitions were severally received and referred—the 1st to the committee on Education; the 2d, 4th and 5th to the committee on Internal Improvement; and the 3d to the committee on the Judiciary.

Bills from the House of Representatives, of the following titles, were severally read the first time, to-wit:

1. An act to amend the law concerning forfeited recognizances and bail bonds.

2. An act for the benefit of the mechanics of the town of Newport.

3. An act for the benefit of the administrator of Charles Carter, deceased.

4. An act for the benefit of the infant children of William Carpenter, deceased, late of Mason county.

5. An act to amend the charter of the city of Covington.

6. An act to abolish the original jurisdiction of the Appellate Court in cases of ferries and mills.

7. An act for the benefit of the town of Newport, in Campbell county.

8. An act for the benefit of William P. Woolley.

9. An act to change the time of holding the Estill County Court.

10. An act to amend the act relating to the town of Georgetown.

11. An act for the benefit of the Surveyor of Scott county.

12. An act to amend an act concerning mill dams and other obstructions in water courses, approved 22d February, 1797.

13. An act to change the time of holding the Oldham Circuit Court.

14. An act fixing the rates of toll on the Wilderness turnpike road.

15. An act to establish the office of Police Judge of the town of New Liberty, in Owen county, and regulating the duties thereof.

16. An act directing a change of venue in the prosecution against John Lamb.

17. An act for the benefit of Jesse Day, of Morgan county.

18. An act for the benefit of Ophelia Holloway and Andrew, her son.

19. An act to amend an act, entitled, an act to incorporate the Lexington Gas Company.

20. An act for the benefit of the Methodist church in Madison county.

21. An act to incorporate the Odd Fellows Hall of Newport, Kentucky.

22. An act for the benefit of Wm. B. Smith, of Warren county, and Wm. S. Green, of Hart county.

23. An act for the benefit of the Sheriff of Hart county.

Ordered, That said bills be read a second time.

The constitutional rule as to the second reading of said bills being dispensed with, they were referred—the 1st, 2d, 3d, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 11th, 13th, 15th, 16th, 17th, 19th and 21st to the committee on the Judiciary; the 12th and 14th to the committee on Internal Improvement; the 18th and 22d to the committee on Propositions and Grievances; the 20th to the committee on Religion; and the 23d to the committee on Finance.

Mr. Patterson, from a select committee, reported a bill to amend the charter of the town of Paducah, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading being dispensed with, said bill was amended and ordered to be engrossed and read a third time.

The constitutional rule as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Draffin, from the committee on Religion, to whom was referred a bill from the House of Representatives, entitled, an act to divorce Mary Perkins, reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A message, in writing, was received from the Governor, by Mr. Reed, Secretary of State.

The rule of the Senate being dispensed with, the said message was taken up, and read as follows, to-wit:

Gentlemen of the Senate :

I nominate for your advice and consent, Abraham Hunter to be Gate Keeper on the Wilderness turnpike road. WM. OWSLEY.

Resolved, That the Senate advise and consent to the said appointment.

The Senate took up for consideration a bill from the House of Representatives, entitled, an act to divorce Elizabeth A. King.

The said bill was read the third time.

The question was taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Taylor and Patterson, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Bradley,	Hambleton,	Thomas,
Bramlette,	Heady,	Thurman,
Brien,	Helm,	Todd,
English,	Patterson,	Wall,
Evans,	Rice,	White,
Fox,	Slaughter,	Williams—18.

Those who voted in the negative, were—

Messrs. Grey,	McMillan,	Taylor,
Hardin,	Speed Smith,	Walker—8.
Holloway,	Swope,	

Resolved, That the title of said bill be amended by adding "and for other purposes."

The Senate then proceeded to the consideration of a bill to incorporate the Lexington and Frankfort Railroad Company.

The question was taken on the amendment proposed to said bill by Mr. Helm, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Henderson and Todd, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Bramlette,	Heady,	Swope,
Brien,	Helm,	Taylor,
Crenshaw,	Hobbs,	Thomas,
English,	Marshall,	Todd,
Evans,	Patterson,	Walker,
Fox,	Russell,	Wall,
Grey,	Slaughter,	White—23.
Hawkins,	Speed Smith,	

Those who voted in the negative, were—

Messrs. Bradley,	Holloway,	Thornton,
Hambleton,	James,	Thurman,
Hardin,	McMillan,	Williams—11.
Henderson,	McNary,	

The said bill was further amended, and ordered to be engrossed and read a third time.

The constitutional rule as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A message was received from the House of Representatives, by Mr. Wintersmith, announcing that they had adopted preamble and resolutions relative to Asa Whitney's plan for a Railroad from Lake Michigan to the Pacific Ocean.

The Senate proceeded to consider said preamble and resolutions.

Mr. Wall moved an amendment to the preamble.

Mr. Henderson moved to lay the said preamble and resolutions on the table.

The question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Henderson and English, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Bradley,	Hambleton,	Russell,
Bramlette,	Hardin,	Swope—8.
English,	Henderson,	

Those who voted in the negative, were—

Messrs. Brien,	Marshall,	Thornton,
Draffin,	McMillan,	Thurman,
Evans,	McNary,	Todd,
Grey,	Slaughter,	Walker,
Heady,	Speed Smith,	Wall,
Helm,	Taylor,	White,
Hobbs,	Thomas,	Williams—22.
Holloway,		

The amendment moved by Mr. Wall was adopted.

Mr. Wall then moved an amendment to the first resolution.

The question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Draffin and Hardin, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Bradley,	Henderson,	Thurman,
Grey,	Holloway,	Todd,
Hambleton,	Marshall,	Walker,
Hardin,	McMillan,	Wall,
Heady,	McNary,	White—17.
Helm,	Russell,	

Those who voted in the negative, were—

Messrs. Bramlette,	Hobbs.	Taylor,
Brien,	Slaughter,	Thomas,
Draffin,	Speed Smith,	Thornton,
Evans,	Swope,	Williams—12.

The said resolutions were further amended, and referred to the committee on Federal Relations.

After some time Mr. Williams, from same committee, reported said preamble and resolutions, with amendments, which were concurred in.

The said preamble and resolutions, as amended, read as follows, to-wit:

WHEREAS, the construction of a Railroad across the continent of North America would make the United States the great highway between Europe and the populous and wealthy Empires of Asia; would greatly facilitate our own intercourse with those regions; would consolidate the interests of our Union; would connect and bind Oregon and the Pacific coast to us; and would give a fresh impetus to our great agricultural, manufacturing, and commercial interests: and whereas, this stupendous work can be accomplished by an appropriation and sale of the public lands, which constitute a fund applicable for defraying the expenses of the undertaking, as a small part of them would furnish the means, and the value of the remainder would be greatly enhanced thereby: and whereas, the plan of Mr. Asa Whitney, of New York, in its great outlines, is, in our opinion, the only practicable scheme, if one be practicable, for the accomplishment of this great undertaking, which should be commenced without delay. Therefore,

1. *Be it resolved by the General Assembly of the Commonwealth of Kentucky,* That we approve of Mr. Whitney's plan, as explained by himself to us, of attempting the constructing a Railroad from Lake Michigan to the Pacific Ocean, from an appropriation and sale of the public lands on its line, connecting the sale and settlement of the lands with the building of the road, making it an individual enterprise, still under the control of Congress; and we earnestly recommend its adoption, and the measure to the early and favorable consideration and action of Congress.

2. *Be it resolved,* That our Senators and Representatives in Congress be and they are hereby requested to give this measure their prompt attention and favorable consideration.

3. *Be it resolved,* That His Excellency, the Governor, be and he is hereby requested to transmit a copy of these resolutions and preamble to the Executive of each of the States in the Union, and a like copy to the Senators and members of the House of Representatives from this State in the Congress of the United States.

The question being taken on concurring in the adoption of said preamble and resolutions, it was decided in the negative, and so the said preamble and resolutions were disagreed to.

The yeas and nays being required thereon by Messrs. Fox and Draffin, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Brien,	McNary,	Taylor,
Draffin,	Slaughter,	Thornton,
Evans,	Speed Smith,	Wall,
Grey,	Swope,	Williams—13.
Hobbs,		

Those who voted in the negative, were—

Messrs. Bradley,	Helm,	Russell,
Bramlette,	Henderson,	Thomas,
English,	Holloway,	Thurman,
Fox,	James,	Todd,
Hambleton,	Marshall,	Walker,
Hardin,	McMillan,	White—20.
Heady,	Patterson,	

A message was received from the Governor, by Mr. Mitchell, Assistant Secretary of State.

The rule of the Senate being dispensed with, the said message was taken up and read as follows, to-wit:

Gentlemen of the Senate:

I nominate for your advice and consent, Charles DeSelding to be Commissioner of Deeds, &c., for Kentucky, in the District of Columbia.

Charles T. Flusser to be Commissioner of Deeds, &c., for Kentucky, in the State of Louisiana.

John Milton to be Notary Public of Jefferson county.

WM. OWSLEY.

Resolved, That the Senate advise and consent to the said appointments.

On the motion of Mr. Evans, leave was given to bring in a bill for the benefit of Richard D. Neal, of Warren county; and Messrs. Evans, Rice and Hawkins were appointed a committee to prepare and report the same.

Resolved, That the Senate concur in the amendments proposed by the House of Representatives, to a bill from the Senate, entitled, an act to revise and amend the charter of the Shepherdsville and Louisville Turnpike Road Company.

A bill from the Senate, entitled, an act to provide for a change of venue in the prosecution against Francis M. Ewing, as amended by the House of Representatives, was taken up.

The said amendment proposes to strike out of the bill the county of Russell, and inserting in lieu thereof, Barren, as the county to which the venue shall be changed.

The question was taken on concurring in said amendment, and it was decided in the negative, and so the said amendment was disagreed to.

The yeas and nays being required thereon by Messrs. Fox and Hardin, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Bramlette,	Hobbs,	Russell,
Driffin,	Holloway,	Slaughter,
Evans,	McMillan,	Speed Smith,
Fox,	Patterson,	Todd—12.

Those who voted in the negative, were—

Messrs. Bradley,	Henderson,	Thornton,
Brien,	McNary,	Thurman,
English,	Rice,	Walker,
Hambleton,	Swope,	Wall,
Hardin,	Taylor,	White,
Heady,	Thomas,	Williams—19.
Helm,		

The following bills were reported, to-wit:

By Mr. Wall, from a select committee—A bill for the benefit of the Sheriff of Harrison county.

By Mr. Patterson, from the committee on the Judiciary—A bill to put a part of the State road leading from Princeton to Centreville under the control of the Caldwell County Court.

By Mr. Hardin, from the same committee—A bill granting a change of venue to William Burnes.

By same—A bill fixing the times of holding the May and November Terms of the Christian County Court.

By same—A bill to include W. B. Carlisle in the county of Green.

By same—A bill for the benefit of the Judge of the 13th Judicial District, and for other purposes.

By Mr. Brien, from a select committee—A bill to authorize suit to be brought by the county of Marshall against the county of Calloway.

By Mr. Slaughter, from the committee on Agriculture and Manufactures—A bill to promote the growth and manufacture of silk.

By Mr. Rice, from the committee on the Judiciary—A bill to incorporate the town of Greenupsburg, and to legalize a late survey made of said town.

By Mr. Walker, from the committee on Propositions and Grievances—A bill to enlarge the boundaries of the town of Somerset.

By Mr. J. Speed Smith, from the committee on Internal Improvement—A bill to authorize the Mobile and Ohio Railroad Company to extend their railroad from the south boundary line of the State of Kentucky, to the Mississippi or Ohio rivers.

By same—A bill to incorporate the Muddy River, Elkton, Trenton and Tennessee State Line Turnpike Road Company.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A bill to fix the ratio and apportion the representation in the Senate and House of Representatives, for the ensuing four years, came up in the orders of the day.

Mr. Rice moved to amend said bill by striking out after Morgan the words "Breathitt and," so as to make it read, Morgan one.

The question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Rice and Thomas, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Bradley,	Hardin,	Speed Smith,
Bramlette,	Heady,	Swope,
Brien,	James,	Thomas,
English,	McMillan,	Todd,
Evans,	Rice,	Williams—15.

Those who voted in the negative, were—

Messrs. Driffin,	Hobbs,	Taylor,
Fox,	Holloway,	Thornton,
Grey,	Marshall,	Thurman,
Hambleton,	McNary,	Walker,
Helm,	Patterson,	Wall,
Henderson,	Slaughter,	White—18.

Mr. Thomas then moved to amend said bill by striking out "one," as the number of Representatives to Kenton, and inserting "two."

The question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Thomas and James, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Bradley,	English,	Rice,
Bramlette,	Evans,	Swope,
Brien,	Heady,	Thomas,
Draffin,	James,	Thurman—12.

Those who voted in the negative, were—

Messrs. Fox,	Marshall,	Thornton,
Grey,	McMillan,	Todd,
Hambleton,	McNary,	Walker,
Hardin,	Patterson,	Wall,
Helm,	Slaughter,	White,
Henderson,	Speed Smith,	Williams—20.
Holloway,	Taylor,	

The said bill was further amended.

Ordered, That said bill be engrossed and read a third time.

The constitutional rule as to the third reading being dispensed with,

The question was taken on the passage thereof, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Evans and Rice, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Bramlette,	McMillan,	Thurman,
Grey,	Patterson,	Todd,
Hardin,	Slaughter,	Walker,
Helm,	Speed Smith,	Wall,
Henderson,	Swope,	White,
Hobbs,	Taylor,	Williams—20.
Marshall,	Thornton,	

Those who voted in the negative, were—

Messrs. Bradley,	Fox,	McNary,
Brien,	Hambleton,	Rice,
Draffin,	Heady,	Russell,
English,	Holloway,	Thomas—14.
Evans,	James,	

Resolved, That the title of the said bill be as aforesaid.

Mr. Walker, from the committee on Propositions and Grievances, to whom was referred bills from the House of Representatives, of the following titles, to-wit:

1. An act to allow an additional Justice of the Peace to Barren county.
 2. An act for the benefit of Price Snyder, of Simpson county.
- Reported the same without amendment.

The first bill was amended.

Ordered, That said bills be read a third time.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bills, (the 1st as amended,) do pass, and that the title of the 1st bill be amended by adding, "and for other purposes."

Mr. Evans, from the committee on Education, to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of Common Schools in the town of Portland, reported the same with an amendment, which was concurred in.

Ordered, That said bill be read a third time, as amended.

The constitutional rule as to third reading being dispensed with,

Resolved, That said bill, as amended, do pass, and that the title thereof be amended by adding, "and for other purposes."

Mr. J. Speed Smith, from the committee on Internal Improvement, to whom was referred bills from the House of Representatives, of the following titles, to-wit:

1. An act to incorporate the Paris and Comb's Ferry Turnpike Road Company.

2. An act to incorporate the Springfield, Perryville and Danville Turnpike Road Company.

3. An act to incorporate the Spencer County and Louisville Turnpike Road Company, and for other purposes.

4. An act to amend an act concerning mill dams and other obstructions in water courses, approved 22d February, 1797.

5. An act for the benefit of James Dewitt, Benjamin Riddle and Isaac Chenowith.

6. An act to amend the road law in the county of Clarke, and for other purposes.

7. An act to incorporate the Paris and Cynthiana Turnpike Road Company.

Reported the same without amendment.

The fourth bill was referred to the committee on the Judiciary, and the 1st, 2d, 3d, 5th, 6th and 7th were ordered to be read a third time.

The constitutional rule as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. J. Speed Smith, from the same committee, to whom was referred a bill to incorporate the Louisville and Taylorsville Turnpike Road Company, reported the same without amendment.

Ordered, That said bill be engrossed and read a third time.

The constitutional rule as to the third reading of the said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. J. Speed Smith, from the same committee, to whom was referred a bill to incorporate the Bardstown and Salt River Slackwater Navigation Company, reported the same without amendment.

The said bill was amended and ordered to be engrossed and read a third time.

The constitutional rule as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. J. Speed Smith, from the same committee, read and laid on the table the following joint resolutions, to-wit:

1. *Resolved by the General Assembly of the Commonwealth of Kentucky*, That our Senators and Representatives in Congress be requested to use their influence to secure the passage of a law, in conformity with the petition of the Mobile and Ohio Railroad Company, and the citizens of the States of Alabama, Mississippi, Tennessee and Kentucky, to grant to said Railroad Company "the right of way over the public lands lying on the proposed route; the privilege of cutting the timber required for the construction of the road; and, also the alternate sections of public lands situated on the route, which are unsold.

2. *Resolved*, That the Governor be requested to transmit copies of this resolution to our Senators and Representatives in Congress.

The rule of the Senate being dispensed with, the said resolutions were taken up, twice read and adopted.

Mr. J. Speed Smith, from the same committee, to whom was referred a bill to incorporate the New Orleans and Ohio Telegraph Company, reported the same with amendments, which were concurred in.

Ordered, That said bill be engrossed and read a third time.

The constitutional rule as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be amended by adding thereto, "and the People's Telegraph Company."

Mr. J. Speed Smith, from the same committee, reported a bill to incorporate the Greysville and Russellville Turnpike Road Company, and for other purposes, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading being dispensed with, said bill was amended and ordered to be engrossed and read a third time.

The constitutional rule as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be amended by adding "and for other purposes."

After proceedings as a High Court of Impeachment, as stated on the record,
The Senate adjourned.

TUESDAY, FEBRUARY 22, 1848.

A message was received from the House of Representatives, announcing that they had passed bills from the Senate, of the following titles, to-wit:

An act to amend an act, entitled, an act to establish the town of Petersburg, in Boone county, approved January 7th, 1839.

An act to allow additional terms to the Harrison and Estill Circuit Courts.

An act for the benefit of James Sudduth.

An act for the benefit of the heirs of James B. Blair, deceased.

An act to amend an act for the benefit of Ann L. Clements, approved February 3, 1847.

An act for the benefit of the heirs of Philip Baker.

An act to amend an act, entitled, an act to establish the town of Cornishville, approved February 23d, 1847, and for other purposes.

An act supplementary to an act incorporating the Paris, Winchester and Kentucky River Turnpike Road Company, and the North Middletown Turnpike Road Company, and for other purposes.

An act to incorporate the Grand Division of Sons of Temperance of the State of Kentucky.

An act for the benefit of Isaac Bush.

With amendments to the two bills last named.

That they had passed bills of the following titles, to-wit:

An act to provide for the location and erection of the Second Kentucky Lunatic Asylum.

An act to amend the law regulating the administration and settlement of decedents estates.

An act for the benefit of Martha Anderson, of Allen county.

An act to change the venue in the prosecution against John A. Claywell.

An act to revive and amend an act to incorporate the Augusta, Cynthia and Georgetown Turnpike Company.

An act further regulating the docketing of causes in the Court of Appeals.

An act to incorporate the Christian Church of Mount Eden, in Spencer county.

An act to amend an act to incorporate the Fireman's Insurance Company of Lexington, approved February 26, 1847.

An act for the benefit of Abraham Watson.

An act to incorporate the West Louisville Cemetery.

An act allowing additional Justices of the Peace and Constables to certain counties.

An act to amend an act for the benefit of the mechanics of the towns of Covington and Newport, approved 22d February, 1834, and for other purposes.

Mr. English presented the petition of George E. Cooke, praying for the passage of a law allowing him to bring into this State, from Virginia, fifteen slaves without incurring the penalty of the law of 1833, prohibiting the importation of slaves into this State.

Which was received and referred to the committee on Propositions and Grievances.

On the motion of Mr. Hambleton, leave was given to bring in a bill to amend the charter of the town of Stephenson, and for other purposes; and the committee on the Judiciary was directed to prepare and bring in the same.

Mr. J. Speed Smith, from the committee on Internal Improvement, reported the following bills, to-wit:

A bill for the benefit of Spottswood Wills.

A bill to amend the charter of the Frankfort and Louisville Railroad Company.

Which bills were each read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bills being dispensed, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. J. Speed Smith, from the same committee, to whom was referred bills from the House of Representatives of the following titles, to-wit:

An act for the benefit of the Board of Internal Improvement.

An act authorizing the erection of an additional toll gate on the Versailles and Anderson turnpike road.

An act relating to the road tax in Germantown, and for other purposes.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

On the motion of Mr. Thomas, the vote of yesterday, disagreeing to preamble and resolutions from the House of Representatives, relative to Mr. Asa Whitney's plan for a Railroad from Lake Michigan to the Pacific Ocean, was reconsidered.

Mr. Williams moved an amendment as a substitute to said preamble and resolutions, which was adopted.

The said preamble and resolutions, as amended, were then concurred in.

And then the Senate adjourned.

WEDNESDAY, FEBRUARY 23, 1848.

A message was received from the House of Representatives, announcing that they had passed bills from the Senate, of the following titles, to-wit:

An act to incorporate the Rough and Ready Turnpike Road Company, in Boone county.

An act to charter the Second Baptist Church of Louisville.

An act for the benefit of the children of James Holland, of Caldwell county.

That they had passed bills of the following titles, to-wit:

An act for the benefit of the administrator and heirs of the estate of Benjamin Lancaster, deceased.

An act for the benefit of the Kentucky Institution for the Education of the Blind.

Mr. Walker presented the petition of sundry citizens of Harlan county, praying for the passage of a law to establish an election precinct in said county.

Which was received and referred to the committee on Privileges and Elections.

Leave was given to bring in the following bills, to-wit:

On the motion of Mr. Boyd—1. A bill for the benefit of James S. Halbert, a Constable of Lewis county.

On the motion of Mr. Draffin—2. A bill for the benefit of the Common School District, No. 7, in Anderson county.

On the motion of Mr. J. Speed Smith—3. A bill to change the time of holding the Breathitt Circuit Court.

On the motion of Mr. Boyd—4. A bill for the benefit of Ebenezer Church, in Lewis county.

Messrs. Boyd, Evans and Hardin were appointed a committee to prepare and bring in the 1st; Messrs. Boyd, McMillan and Williams the 4th; the committee on Education was directed to prepare and bring in the 2d; and the committee on the Judiciary the 3d.

The following bills were reported, to-wit:

By Mr. Rice, from the committee on the Judiciary—A bill for the benefit of George F. Hatcher.

By Mr. Evans, from the committee on Education—A bill for the benefit of the Trustees of School District, No. 7, in Anderson county.

By Mr. Boyd, from a select committee—A bill for the benefit of James S. Halbert, of Lewis county.

By Mr. J. Speed Smith, from the committee on Internal Improvement—A bill authorizing the Board of Internal Improvement to bring suits in the General Court.

By same—A bill to incorporate the Flemingsburg and Elizaville Turnpike Road Company.

By same—A bill declaring Big Blaine creek, in Lawrence county, navigable.

By Mr. Evans, from a select committee—A bill for the benefit of Richard D. Neal, of Warren county.

By Mr. J. Speed Smith, from the committee on Internal Improvement—A bill to increase the width of the road leading from Florence to Anderson's ferry, in Boone county.

By Mr. Slaughter, from the committee on Education—A bill to incorporate the Hodgenville Male and Female Seminary, and for other purposes.

By Mr. Hardin, from the committee on the Judiciary—A bill to incorporate the town of Bridgeport, in Franklin county.

By same—A bill to amend an act for the benefit of A. M., Clifford N., Henry B. and Sidney T. Fontaine, approved March 1, 1847.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Rice, from the committee on the Judiciary, reported a bill to extend the Constable's District of S. T. Givens, of Harrison county, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading of said bill being dispensed with, it was placed in the orders of the day.

Mr. J. Speed Smith, from the committee on Internal Improvement, to whom was referred bills from the House of Representatives, of the following titles, to-wit:

An act fixing the rates of toll on the Wilderness turnpike road.

An act to repeal the law in relation to private pass-ways in the county of Mercer, and for other purposes.

An act to change a part of the State road in Kenton county.

An act to incorporate a Turnpike Road Company from Versailles to Midway.

An act to incorporate the Great Crossings and Stamping Ground Turnpike Road Company.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. J. Speed Smith, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act to amend the road law in the county of Knox, reported the same without amendment.

The question being taken on reading said bill a third time, it was decided in the negative, so the said bill was disagreed to.

Mr. Walker moved to reconsider the vote by which said bill was rejected.

Mr. J. Speed Smith, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act to change the State road from Hopkinsville to Gray's ferry, reported the same, with the opinion of the committee that it ought not to pass.

The said bill was re-committed to the committee on Internal Improvement.

Mr. J. Speed Smith, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act to amend an act to prevent the wanton destruction of fish, reported the same with an amendment.

Mr. Taylor moved to lay the said bill and amendment on the table.

The question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. English and Taylor, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Draffin,
Grey,

Swope,

Taylor—4.

Those who voted in the negative, were—

Messrs. Boyd,
Bradley,

Heady,
Hobbs,

Russell,
Slaughter,

Bramlette,	Holloway,	Speed Smith,
Brien,	McMillan,	Thornton,
English,	McNary,	Thurman,
Evans,	Patterson,	Wall,
Hambleton,	Rice,	White—21.

The amendment reported by the committee was then concurred in.

Ordered, That said bill be read a third time, as amended.

The constitutional rule as to the third reading of said bill being dispensed with,

Resolved, That said bill, as amended, do pass, and that the title thereof be as aforesaid.

A message was received from the House of Representatives, announcing that that they had passed a bill, entitled, an act to erect a monument to those who have fallen in defence of their country.

The said bill was read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bill being dispensed with,

The question was taken on the passage thereof, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Evans and Hambleton, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Boyd,	James,	Taylor,
Bramlette,	McMillan,	Thornton,
Brien,	Patterson,	Thurman,
Draffin,	Rice,	Todd,
Grey,	Russell,	Walker,
Helm,	Slaughter,	Wall,
Hobbs,	Speed Smith,	White—23.
Holloway,	Swope,	

Those who voted in the negative, were—

Messrs. English,	Hardin,	McNary,
Evans,	Heady,	Thomas,
Hambleton,	Marshall,	Williams—9.

Resolved, That the title of the said bill be as aforesaid.

Mr. Helm, from the joint committee on Banks, make the following report, to-wit:

[*For Report—see Legislative Documents.*]

Ordered, That the Public Printer print 150 copies of said report, for the use of the General Assembly.

Bills from the House of Representatives, of the following titles, were reported from the committee on the Judiciary, without amendment, to-wit:

By Mr. Rice:

An act to establish the town of Buena Vista, in Russell county.

An act for the benefit of M. C. Hughes, Surveyor of Owsley county.

An act for the benefit of Jesse Day, of Morgan county.

An act for the benefit of John Swansey's heirs, of Crittenden county.

By Mr. Hardin:

An act to establish a Police Court in the town of Mt. Vernon.

An act to exempt keepers of public ferries, in Morgan county, from working on roads.

An act for the benefit of the Morgan County Court.

An act to incorporate the Crittenden Mining Company.

An act to incorporate the town of Monticello.

An act to change the time of holding the Oldham Circuit Court.

An act to incorporate the Odd Fellows Hall of Newport, Kentucky.

An act to amend an act, entitled, an act to incorporate the Lexington Gas Company.

An act to establish the office of Police Judge of the town of New Liberty, in Owen county, and regulating the duties thereof.

An act to change the time of holding the Estill County Court.

An act for the benefit of Garnett A. Dowell.

An act for the benefit of the infant children of William Carpenter, deceased, late of Mason county.

Ordered, That said bill be read a third time.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Hardin, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of the Surveyor of Scott county, reported the same with an amendment, which was concurred in.

Ordered, That said bill be read a third time, as amended.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bill, as amended, do pass, and that the title thereof be amended by adding, "and for other purposes."

Mr. Hardin, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of William Mullen, of Wayne county, and others, reported the same without amendment.

The said bill was amended and ordered to be read a third time.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bill, as amended, do pass, and that the title thereof be as aforesaid.

Mr. Hardin, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act to allow special terms of the Cumberland, Floyd and Pendleton Circuit Courts, reported the same with an amendment, which was concurred in.

The said bill was further amended and ordered to be read a third time.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bill, as amended, do pass, and that the title thereof be amended by adding, "and for other purposes."

Mr. Hardin, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act to authorize the Sergeant of the Court of Appeals to collect costs, reported the same, with the opinion of the committee that it ought not to pass.

The question being taken on reading the said bill a third time, and it was decided in the negative, and so the said bill was disagreed to.

Mr. Hardin, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act to amend the law concerning forfeited recognizances and bail bonds, reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Hardin, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act to amend the act relating to the town of Georgetown, reported the same, with the opinion of the committee that it ought not to pass; and said bill was placed in the orders of the day.

Mr. Wall, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act to abolish the original jurisdiction of the Appellate Court in cases of ferries and mills, reported the same without amendment.

Ordered, That said bill be read a third time.

And then the Senate adjourned.

THURSDAY, FEBRUARY 24, 1848.

A message was received from the House of Representatives, announcing that they had concurred in the amendments proposed by the Senate, to preamble and resolutions from the House of Representatives, relative to Mr. Asa Whitney's plan for a Railroad from Lake Michigan to the Pacific Ocean.

That they had passed bills from the Senate, of the following titles, to-wit :

An act to authorize the Green County Court to sell the old Clerk's office of Green county.

An act to extend the limits of the town of Hamilton, in Boone county.

An act to provide for a change of venue in the prosecution against Asa Sisk.

An act to provide for a change of venue in the prosecution against William Peyton.

An act for the benefit of James Calhoun, and John Hill and wife.

An act to authorize the Mobile and Ohio Railroad Company to extend their Railroad from the south boundary line of the State of Kentucky to the Mississippi or Ohio rivers.

An act to facilitate the construction of the Electric Telegraph.

An act to amend the penal laws.

With amendments to the two bills last named.

That they had passed a bill, entitled, an act to amend an act, entitled, an act to amend in part and repeal in part the act establishing a road from London to the mouth of Big Laurel river, approved 30th January, 1847.

1. Mr. Taylor presented the petition of the Trustees of the town of Winchester, praying for the passage of a law in relation to the indebtedness of said Trustees, incurred in permanent improvements made in said town.

2. Mr. Grey presented the petitions of Elijah Hise and Francis M. Bristow, praying such an arrangement of the Logan Circuit Courts as will prevent their conflicting with the Circuit Courts of Christian county.

Which petitions were severally received and referred—the 1st to the committee on Propositions and Grievances, and the 2d to the committee on the Judiciary.

The Senate reconsidered the vote of yesterday, as moved by Mr. Walker, by which a bill from the House of Representatives, entitled, an act to amend the road law in the county of Knox, was disagreed to.

Ordered, That said bill be read a third time.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A message was received from the House of Representatives, by Mr. Speed, asking leave to withdraw the report of the passage, by that House, of a bill from the Senate, entitled, an act to allow additional terms to the Harrison and Estill Circuit Courts, which leave was granted, and the bill withdrawn.

On the motion of Mr. Bradley—Mr. McMillan was added to the committee on Enrollments.

On the motion of Mr. Todd, leave was given to bring in a bill to incorporate the Graves' Mill Turnpike Road Company; and Messrs. Todd, Holloway and James were appointed a committee to prepare and bring in the same.

After a short time Mr. Todd reported the said bill, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Wall, from the committee on the Judiciary, to whom was referred bills from the House of Representatives, of the following titles, to-wit:

An act for the benefit of the town of Newport, in Campbell county.

An act to amend the act requiring the several County Courts to procure a set of weights and measures, approved February 1, 1839.

An act for the benefit of William P. Woolley.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Patterson, from the same committee, to whom was referred bills from the House of Representatives, of the following titles, to-wit:

An act for the benefit of the mechanics of the town of Newport.

An act for the benefit of the administrator of Charles Carter, deceased.

An act to legalize the acts of William Teal, Constable of Owen county.

An act for the benefit of John H. Parish, Surveyor of Madison county.

An act directing a change of venue in the prosecution against John Lamb.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Patterson, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act to amend the charter of the city of Covington, reported the same without amendment.

The said bill was amended.

Ordered, That said bill be read a third time, as amended.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bill, as amended, do pass, and that the title thereof be amended by adding "and the town of Feliciana."

Mr. Hardin, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of William H. Curtis, of Monroe county, reported the same, with the opinion of the committee that it ought not to pass.

Ordered, That said bill be read a third time.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Hardin, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of Juliana Dickson Thomasson, reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Hardin, from the same committee, to whom was referred a bill to repeal an act concerning slaves, approved 21st February, 1846, reported the same without amendment.

Ordered, That said bill be engrossed and read a third time.

The constitutional rule as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Walker, from the committee on Propositions and Grievances, reported a bill for the benefit of Burnly D. Smith, of Todd county, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading being dispensed with,
The said bill was, on motion of Mr. English, amended.

Mr. James moved an amendment to said bill.

Mr. Swope moved to lay said bill and amendments on the table.

The question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Draffin and Swope, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Boyd,	McMillan,	Taylor,
Draffin,	McNary,	Thornton,
Hardin,	Patterson,	Todd,
Hobbs,	Speed Smith,	Wall,
Holloway,	Swope,	Williams—15.

Those who voted in the negative, were—

Messrs. Bradley,	Grey,	Russell,
Bramlette,	Hambleton,	Thomas,
Brien,	Heady,	Thurman,
English,	James,	Walker—14.
Evans,	Marshall,	

On the motion of Mr. Patterson, the vote laying said bill and amendments on the table, was reconsidered.

Mr. James withdrew his amendment.

The vote by which the amendment moved by Mr. English was adopted was reconsidered, and said amendment was withdrawn.

Ordered, That said bill be engrossed and read a third time.

The constitutional rule as to the third reading of the said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Walker, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of George W. Boyd, Drury W. Taylor and Isham J. Jones, reported the same, with the opinion of the committee that it ought not to pass.

The question being taken on reading the said bill a third time, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Draffin and Boyd, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Bradley,	Hambleton,	Slaughter,
Bramlette,	Heady,	Speed Smith,
Brien,	Helm,	Thomas,
English,	James,	Thurman,
Evans,	Marshall,	Walker—17.
Grey,	Patterson,	

Those who voted in the negative, were—

Messrs. Boyd,	McMillan,	Thornton,
Draffin,	McNary,	Todd,
Fox,	Swope,	Wall,
Hardin,	Taylor,	Williams—13.
Holloway,		

Mr. Walker, from the same committee, to whom was referred the petition of George E. Cooke, reported the following resolution thereon, to-wit:

Resolved, That said petition be rejected.

Mr. English moved to strike out the words "be rejected," and insert "is reasonable."

The question being taken thereon, it was decided in the negative.

The said resolution was then concurred in.

Mr. Walker, from the same committee, to whom was referred bills from the House of Representatives of the following titles, to-wit:

An act to amend the Trustee law of the town of London.

An act for the benefit of Elijah Hansbrough, of Hardin county.

Reported the same, with the opinion of the committee that they ought not to pass.

Ordered, That said bills be read a third time.

The constitutional rule as to third reading being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Walker, from the same committee, to whom was referred bills from the House of Representatives, of the following titles, to-wit:

An act to enlarge the limits of the town of Cadiz.

An act to provide for the running and marking the dividing line between the counties of Russell, Casey and Pulaski.

An act for the benefit of Wm. B. Smith, of Warren county, and Wm. S. Green, of Hart county.

An act to enlarge the powers of the Trustees of the town of Mt. Washington, in Bullitt county.

An act for the benefit of Ann H. Cundiff, of Clay county.

An act for the benefit of Ophelia Holloway and Andrew, her son.

An act allowing an additional Constable to Wayne county, and for other purposes.

An act to change the name of Henry Moore Henry to that of Francis Grey Henry.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The constitutional rule as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Walker, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of Joseph Willis Hamilton, reported the same, with the opinion of the committee that it ought not to pass.

The question being taken on reading said bill a third time, it was decided in the negative, so the said bill was disagreed to.

A message was received from the Governor, by Mr. Mitchell, Assistant Secretary of State.

The rule of the Senate being dispensed with, the said message was taken up and read as follows, to-wit:

Gentlemen of the Senate:

I nominate for your advice and consent, J. N. Wright to be Notary Public of Jefferson county.

Samuel Long, Jr. to be Police Judge of the town of Albany.

G. W. Doneghy to be Sheriff of Boyle county in place of Nelson Mays, deceased. WM. OWSLEY.

Resolved, That the Senate advise and consent to the said appointments.

Mr. Bradley, from the joint committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, to-wit:

An act for the benefit of Benjamin W. Burge, of Warren county.

An act for the benefit of the widow and heirs of John Turley, deceased.

An act for the benefit of Robert S. Taylor and others.

An act increasing the powers of the Harrison County Court.

An act to amend an act, entitled, an act to increase the powers of the Trustees of the town of Versailles.

An act to amend an act, entitled, an act to establish the town of Brooksville, in Bracken county.

An act for the benefit of Joseph C. Harrison, of Boone county, and others.

An act to incorporate the Lebanon Lodge.

An act for the benefit of James L. Ballard and Matilda, his wife.

An act to amend the charter of the Franklin Fire and Marine Insurance Company, of Louisville.

An act for the benefit of the Surveyors of Henry and Lewis counties.

An act to incorporate the Long Run Baptist Church, of Jefferson county.

An act to detach Estill county from the 11th and to add it to the 10th Judicial District.

And enrolled bills which originated in the House of Representatives, of the following titles, to-wit:

An act to incorporate the Paris, Winchester and Kentucky River Turnpike Road Company, and the North Middletown Turnpike Road Company, and for other purposes.

An act to divorce Mary Perkins.

An act for the benefit of Price Snyder, of Simpson county.

An act for the benefit of Davenport Jones, of Christian county.

An act to legalize the proceedings of the Ohio County Court at their January Term, 1848, and for other purposes.

An act to incorporate the Chestnut Street Presbyterian Church of Louisville.

An act to legalize the election of the Trustees of the town of Owenboro'.

An act to amend an act, entitled, an act for the benefit of Nancy Pointer, approved February 25, 1847.

An act to incorporate the "The German Roman Catholic Benefit Society, of Covington."

An act to incorporate the Springfield, Perryville and Danville Turnpike Road Company.

An act to incorporate the Paris and Comb's Ferry Turnpike Road Company.

An act to incorporate the Paris and Cynthiana Turnpike Road Company.

An act to change the time of holding the Christian Circuit and County Courts, and for other purposes.

An act to legalize the proceedings of the Graves County Court.

An act to allow additional Constables to Logan, Washington, Fleming and Pendleton counties.

An act concerning conveyances.

An act to incorporate a Fire Company in the town of Winchester.

An act authorizing the County Court of Mason county to sell and convey certain public property in said county, and for other purposes.

And had found the same truly enrolled.

The said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approbation and signature. After a short time Mr. Bradley reported that the committee had performed that duty.

Leave of absence was granted to Mr. Hawkins.

Mr. James presented to the Senate the report of the Commissioners appointed by an act of the Legislature, for the benefit of Shackelford & Pullen, in relation to plastering done on the Capitol, which is as follows, to-wit:

The undersigned, Commissioners appointed by an act of the Legislature of Kentucky, for the benefit of Shackelford & Pullen, have discharged the duty assigned them, and beg leave to report:

That they sent one of their number, (Mr. Philip Swigert,) to Cincinnati, Madison and Louisville, for the purpose of getting good and competent workmen to come to Frankfort, examine the work and make an estimate of its value. Mr. Swigert, after consulting gentlemen of the highest respectability in each of the three places, and, upon their recommendation, procured the attendance of Mr. Taylor of Cincinnati, Mr. Moore of Madison, and Mr. Irwin, of Louisville, who were recommended in the highest terms as skillful workmen, and gentlemen of high standing and unimpeachable reputa-

tion. We have taken their depositions, which are herewith returned; we also, at the instance of Mr. Shackelford, took the statements of Messrs. Gorman, Atkinson and Stealey, which are likewise herewith returned.

The Treasurer has already paid the bills for materials, and we only estimate the value of the work done.

Although we believe, from the evidence, that the work is not done in a superior style or of first rate workmanship, still your Commissioners recommend the payment of the amount estimated by Messrs. Irwin, Moore and Taylor, viz: \$3,321 05, in full of all claims against the State of Kentucky to Messrs. Shackelford & Pullen, on account of work done by them on the Capitol.

Respectfully submitted.

JAMES DAVIDSON,	} Commissioners.
A. G. HODGES,	
THOS. S. PAGE,	
H. I. BODLEY,	
P. SWIGERT.	

FEBRUARY 24, 1848.

Mr. Williams presented the affidavits of E. D. Hassett and M. R. Stealey in relation to said plastering; which were received and referred to the committee on Finance.

Mr. J. Speed Smith presented to the Senate a communication from Mr. James M. Rice, which is follows, to-wit:

"To err is nature, and to rectify error is human glory." I was wrong in the vote I gave on the resolutions complimentary to Major General Scott, and the officers and soldiers under his command, for the many brilliant victories achieved by them in the war with Mexico. At the time the vote was given I was under some excitement, and before the vote was announced by the Speaker I intended to correct my vote; this I would certainly have done had not two of my friends in the Senate come to me, in a few minutes after the vote was given, and conversed with me on the subject in my seat; then, least some might say they caused me to change my vote, I determined on making a statement in the form here presented. I represent a constituency that, I am proud to say, without one exception, as far as I know or believe, feel proud of the victories achieved by our arms in the war with Mexico, and whose hearts are ever filled with gratitude to the ruler of the destinies of nations, and thankfulness to the brave and patriotic officers and soldiers thus giving to us such imperishable renown: and permit me further to say, that I, together with a majority of my constituents, believe that the war in which we are now engaged with Mexico, is just on the part of the United States, and could not have been honorably avoided on our part.

JAMES M. RICE.

FRANKFORT, February 24, 1848.

We, J. Speed Smith and George C. Thurman, state, that immediately after the vote on the resolutions alluded to, we did go to J. M. Rice, in his seat in the Senate, and converse with him on the subject of his vote which he had just given.

J. SPEED SMITH.
G. C. THURMAN.

A message, in writing, was received from the Governor, by Mr. Mitchell, Assistant Secretary of State.

The rule of the Senate being dispensed with, the said message was taken up, and read as follows, to-wit:

Gentlemen of the Senate :

I nominate for your advice and consent, Victor M. Kinny to be Colonel; Greenberry Reed, Lieut. Colonel, and J. V. Lindsey, Major of 13th Regiment, 4th Brigade.

Orville G. Cameron to be Lieut. Colonel, and N. M. Derbin, Major of 86th Regiment, 4th Brigade.

John Shawhan to be Colonel, and W. B. Grey, Lieut. Colonel of 20th Regiment, 4th Brigade.

W. W. Harrington to be Colonel; Thomas W. Davis, Lieut. Colonel, and Thomas Duvall, Major of 24th Regiment, 19th Brigade.

Robert Riddell to be Colonel; J. H. Riddell, Lieut. Colonel, and W. R. Walton, Major of 78th Regiment, 13th Brigade.

Henderson Ward to be Colonel of 91st Regiment, 11th Brigade.

Charles Hambleton to be Colonel; Willis Hambleton, Lieut. Colonel, and Dudley Hambleton, Major of 142d Regiment, 23d Brigade.

H. B. Hall to be Lieut. Colonel, and Samuel P. Chambers, Major of 134th Regiment, 20th Brigade.

WM. OWSLEY.

Resolved, That the Senate advise and consent to the said appointments.

Mr. Swope, from the committee on Propositions and Grievances, to whom was referred a bill from the House of Representatives, entitled, an act to provide for running the dividing line between Bracken and Pendleton, reported the same with an amendment, which was concurred in.

Ordered, That said bill be read a third time, as amended.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bill, as amended, do pass, and that the title thereof be as aforesaid.

Mr. Walker, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act allowing additional Justices of the Peace and Constables to certain counties, reported the same without amendment.

The said bill was amended.

Mr. Wall moved to strike out the first and second sections of said bill.

The question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Thomas and Wall, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Boyd,
Bramlette,
Hobbs,
Holloway,

McMillan,
Patterson,
Russell,
Taylor,

Thornton,
Todd,
Wall—11.

Those who voted in the negative, were—

Messrs. Bradley,	Grey,	McNary,
Brien,	Hambleton,	Slaughter,
Draffin,	Hardin,	Swope,
English,	Heady,	Thomas,
Evans,	James,	Walker,
Fox,	Marshall,	Williams—18.

Ordered, That said bill be read a third time, as amended.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bill, as amended, do pass, and that the title thereof be as aforesaid.

Mr. Walker, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act to change the name of James Riley Hammon, and for other purposes, reported the same without amendment.

The said bill was amended and ordered to be read a third time.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bill, as amended, do pass, and that the title thereof be as aforesaid.

Leave was given to bring in the following bills, to-wit:

On the motion of Mr. Swope—1. A bill for the benefit of Samuel Allen and others.

On the motion of Mr. Helm—2. A bill for the benefit of the Clerk of the Daviess Circuit and County Courts.

On the motion of Mr. Williams—3. A bill for the benefit of Aquilla Beecraft, and Nancy L. Beecraft, his wife.

On the motion of Mr. McMillan—4. A bill for the benefit of the Lunatic Asylum at Lexington.

On the motion of same—5. A bill for the benefit of William Hackley and others, of Nicholas county.

On the motion of Mr. Patterson—6. A bill giving a Police Judge to the town of Richmond.

On the motion of Mr. Thornton—7. A bill to incorporate Turnpike Road Company from Versailles to Nicholasville.

On the motion of Mr. Grey—8. A bill to regulate the time of holding the Logan Circuit Court, and for other purposes.

On the motion of Mr. Slaughter—9. A bill to authorize a survey of Salt river and the Beech and Rolling Forks.

On the motion of Mr. J. Speed Smith—10. A bill to change the time of holding the courts in the 19th Judicial District, and for other purposes.

Messrs. Swope, Todd, Hawkins and Helm were appointed a committee to prepare and bring in the 1st; Messrs. Helm, Patterson and Wall the 2d; Messrs. Williams, Boyd and Patterson the 3d; the committee on Education

the 4th; Messrs. McMillan, Boyd and Hardin the 5th; Messrs. J. Speed Smith, Hobbs and Russell the 6th; Messrs. Thornton, J. Speed Smith and Draffin the 7th; Messrs. Grey, Walker and Bradley the 8th; Messrs. Slaughter, Helm and Thurman the 9th; and Messrs. J. Speed Smith, Evans and Hardin the 10th.

Mr. Swope, from the committee on Privileges and Elections, to whom was referred a bill from the House of Representatives, entitled, an act concerning the election of electors, reported the same with an amendment, which was concurred in.

Ordered, That said bill be read a third time, as amended.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bill, as amended, do pass, and that the title thereof be as aforesaid.

Mr. Swope, from the committee on Privileges and Elections, made the following report, to-wit:

The committee on Privileges and Elections have had under consideration the returns from the several Senatorial Districts, and report the following Senators elected, to-wit:

From the first Senatorial District, Thomas James; from the second, William Bradley; from the third, Ben. Edwards Grey; from the fourth, James V. Walker; from the fifth, John G. Holloway; from the sixth, William F. Evans; from the seventh, B. Mills Crenshaw; from the eighth, William N. Marshall; from the ninth, Ambrose S. Bramlette; from the tenth, Parker C. Hardin; from the eleventh, Robert A. Patterson; from the twelfth, Charles Hambleton; from the thirteenth, William C. McNary; from the fourteenth, John L. Helm; from the fifteenth, Edward D. Hobbs; from the sixteenth, Samuel S. English; from the seventeenth, John W. Russell; from the eighteenth, G. Clayton Slaughter; from the nineteenth, George C. Thurman; from the twentieth, John Draffin; from the twenty first, James Brien; from the twenty second, Fountain T. Fox; from the twenty third, John Speed Smith; from the twenty fourth, James S. Henderson; from the twenty fifth, James R. Hawkins; from the twenty sixth, John J. Thomas; from the twenty seventh, George W. Williams; from the twenty eighth, Samuel F. Swope; from the twenty ninth, William K. Wall; from the thirtieth, Stilwell Heady; from the thirty first, Robert S. Todd; from the thirty second, David Thornton; from the thirty third, Samuel M. Taylor; from the thirty fourth, James M. Rice; from the thirty fifth, Wilson P. Boyd; from the thirty sixth, John F. McMillan; from the thirty seventh, Thomas I. Young; and from the thirty eighth, Alexander White.

The term of service of the following named Senators will expire the present year, (1848,) viz: Thomas James, John G. Holloway, B. Mills Crenshaw, William N. Marshall, Parker C. Hardin, Robert A. Patterson, John L. Helm, Fountain T. Fox, Samuel F. Swope and Samuel M. Taylor.

The term of service of William Bradley, William F. Evans, Ambrose S. Bramlette, George C. Thurman, John Draffin, James S. Henderson, John J. Thomas, Stilwell Heady and Robert S. Todd, will expire in the year 1849.

The term of service of James Brien, James R. Hawkins, William C. McNary, James M. Rice, John W. Russell, John Speed Smith, David Thornton,

James V. Walker, William K. Wall and George W. Williams, will expire in the year 1850.

And the term of service of Ben. Edwards Grey, Alexander White, Thomas I. Young, Edward D. Hobbs, Samuel S. English, Wilson P. Boyd, John F. McMillan, Charles Hambleton and G. Clayton Slaughter, will expire in the year 1851.

SAMUEL F. SWOPE, *Chairman*.

Mr. Boyd, from the committee on Religion, to whom was a referred bills from the House of Representatives, of the following titles, to-wit:

An act for the benefit of the Methodist church in Madison county.

An act to divorce William Humphreys, of Hickman county.

An act for the benefit of Nathaniel D. Burks and Magdalen Burks.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Boyd, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act to divorce William W. Hinds, reported the same.

The said bill was amended.

Mr. Evans moved an amendment to said bill.

The question being taken on the adoption of said amendment, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Taylor and English, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Bradley,	Evans,	Patterson,
Bramlette,	Grey,	Thomas,
Brien,	Heady,	Wall,
Draffin,	James,	Williams—13.
English,		

Those who voted in the negative, were—

Messrs. Boyd,	McMillan,	Taylor,
Hardin,	McNary,	Thornton—8.
Marshall,	Swope,	

Ordered, That said bill be read a third time, as amended.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bill, as amended, do pass, and that the title thereof be amended by adding, "and others."

Mr. Boyd, from the same committee, to whom was referred bills from the House of Representatives of the following titles, to-wit:

1. An act for the benefit of Julia A. Williams.

2. An act to divorce William W. and Nancy Milliken.

Reported the same without amendment.

The said bills were each amended and ordered to be read a third time.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bills, as amended, do pass, and that the title of the 1st bill be amended by adding, "and Catharine Lamaster."

Mr. J. Speed Smith, from the committee on Internal Improvement, to whom was referred a bill from the House of Representatives, entitled, an act to change the State road from Hopkinsville to Grey's ferry, reported the same.

The said bill was amended, and ordered to be read a third time.

The following bills were reported, to-wit:

By Mr. Boyd, from the committee on Religion—A bill for the benefit of Ebenezer Church, in Lewis county.

By Mr. Hardin, from the committee on the Judiciary—A bill to amend the charter of the town of Newport.

By same—A bill supplemental to an act to extend the jurisdiction of the Police Judge of the town of Hopkinsville, approved February 18, 1848.

By Mr. Walker, from the committee on Propositions and Grievances—A bill for the benefit of the town of Winchester.

By same—A bill for the benefit of Thomas Gardner, of Bourbon county.

By same—A bill for the benefit of James Pratt, of Union county.

By Mr. Williams, from a select committee—A bill for the benefit of Aquila Beecraft and Nancy L. Beecraft, his wife.

By Mr. Swope, from the committee on Privileges and Elections—A bill to establish an additional election precinct in Pendleton and Harlan counties.

By same—A bill to change the place of voting in the Stephensburg precinct, in Hardin county.

By same—A bill to establish an election precinct at Trenton, in Todd county.

By Mr. Helm, from a select committee—A bill for the benefit of the Clerks of the Daviess and McCracken Circuit and County Courts.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Evans, from the committee on Education, reported a bill for the benefit of the Lunatic Asylum, at Lexington, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading of said bill being dispensed with, it was made the special order of the day for to-morrow, at 12 o'clock.

Mr. James, from the committee on Finance, reported a bill for the benefit of Jackson Wilkins, of Muhlenburg county, which was read the first time as follows, to-wit:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the County Court of Muhlenburg county be, and they are hereby authorized to grant license to Jackson Wilkins, upon his paying the sum of ten dollars, and executing bond, with good security, to keep an orderly house, to retail spirituous liquors by the small, in said county, notwithstanding he may not keep a tavern; said license shall expire at the end of the first year after the issuing thereof, but may be renewable from year to year, at the pleasure of said court.

Ordered, That said bill be read a second time.

The constitutional rule as to the second reading of said bill being dispensed with,

The question was then taken on engrossing and reading it a third time, and it was decided in the negative, and so the said bill was rejected.

The yeas and nays being required thereon by Messrs. Swope and Evans, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Bradley,	Heady,	Patterson,
Brien,	James,	Thomas,
English,	McNary,	Thurman—10.
Grey,		

Those who voted in the negative, were—

Messrs. Boyd,	Hardin,	Taylor,
Bramlette,	Hobbs,	Thornton,
Draffin,	McMillan,	Todd,
Evans,	Speed Smith,	Wall,
Hambleton,	Swope,	Williams—15.

Mr. Grey, from a select committee, reported a bill to regulate the time of holding the Logan Circuit Court, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading of said bill being dispensed with, it was referred to the committee on the Judiciary.

Mr. Evans, from the committee on Education, reported a bill for the benefit of Common Schools in this State, which was read the first time.

And then the Senate adjourned.

FRIDAY, FEBRUARY 25, 1848.

The Lieutenant Governor and Speaker of the Senate having absented himself for the remainder of the session, Mr. Robert A. Patterson was unanimously elected Speaker of the Senate for the occasion.

A message was received from the House of Representatives, announcing that they had received official information that the Governor had approved and signed an enrolled bill, which originated in that House, entitled, an act to amend the charter of the Oakland Turnpike Road Company.

Approved February 18, 1848.

That they had passed bills from the Senate, of the following titles, to-wit:
An act for the benefit of the Clerks of the Simpson and Clarke County Courts.

An act for the benefit of Catharine Montgomery, of Washington county, and John H. Butler, of Hickman county.

An act to incorporate the Lexington and Frankfort Railroad Company.

An act to allow additional terms to the Harrison and Estill Circuit Courts.

With amendments to the two bills last named.

That they had passed bills of the following titles, to-wit:

An act to establish additional election precincts in certain counties for certain purposes.

An act to incorporate the Harrod's Creek Academy, in Oldham county.

An act for the benefit of the town of Bloomfield.

An act to divorce Jack Henderson.

An act to divorce John C. Wolf.

An act for the benefit of the Carroll County Court.

An act to allow an additional Justice of the Peace to the county of Pulaski.

An act concerning the Banks of Kentucky.

An act to divorce Mary E. Crane.

Mr. McNary presented the petition of James McConnell, praying for the passage of a law to pay him for work and labor done in clearing and cutting the timber on the banks of Pools Nos. 3 and 4, on Green river.

Which was received and referred to the committee on Internal Improvement.

Resolved, That the Senate disagree to the amendment proposed by the House of Representatives, to a bill from Senate, entitled, an act concerning guardians.

Resolved, That the Senate concur in the amendments proposed by the House of Representatives, to bills from the Senate, of the following titles, viz:

An act to incorporate the Grand Division of Sons of Temperance of the State of Kentucky.

An act to facilitate the construction of the Electric Telegraph.

An act for the benefit of Isaac Bush.

An act to amend the penal laws.

An act to allow additional terms to the Harrison and Estill Circuit Courts.

An act to incorporate the Lexington and Frankfort Railroad Company.

Resolutions from the House of Representatives, in relation to the boundary between the States of Ohio, Indiana, Illinois and Kentucky, were taken up, twice read and concurred in.

Bills from the House of Representatives, of the following titles, were severally read the first time, to-wit :

1. An act to amend an act for the benefit of the mechanics of the towns of Covington and Newport, approved 22d February, 1834, and for other purposes.

2. An act to amend the law regulating the administration and settlement of decedents estates.

3. An act for the benefit of Abraham Watson.

Ordered, That said bills be read a second time.

The constitutional rule as to the second reading of said bills being dispensed with, the 1st and 2d were referred to the committee on the Judiciary, and the 3d to the committee on Finance.

Bills from the House of Representatives, of the following titles, were severally read the first time, to-wit :

An act for the benefit of the administrator and heirs of the estate of Benjamin Lancaster, deceased.

An act allowing additional Justices of the Peace and Constables to certain counties.

An act to incorporate the West Louisville Cemetery.

An act to amend an act to incorporate the Fireman's Insurance Company of Lexington, approved February 26, 1847.

An act to incorporate the Christian Church of Mount Eden, in Spencer county.

Ordered, That said bills be read a second time.

The constitutional rule as to the second reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. James, from the committee on Finance, to whom was referred a bill from the House of Representatives, entitled, an act to increase the revenue, together with the amendment proposed thereto by the Senate, and which was disagreed to by the House of Representatives, reported the same, with

the opinion of the committee that said amendment should be insisted on by Senate.

The said amendment was insisted on, and Messrs. James, Boyd and Draf-
fin were appointed a committee of conference on the part of the Senate,
on the disagreement to said amendment.

Ordered, That Mr. James inform the House of Representatives thereof,
and request the appointment of a committee on their part.

After some time a message was received from the House of Representa-
tives, by Mr. Towles, announcing that the House had appointed a committee
of conference on their part, on the disagreement to said amendment.

Mr. James, from the committee on the part of the Senate, reported that
the committee on the part of the House had agreed to recede from their dis-
agreement to said amendment.

The report of said committee was concurred in.

Mr. James, from the same committee, to whom was referred bills from
the House of Representatives of the following titles, to-wit:

An act for the benefit of Joel Sweeney.

An act for the benefit of Thomas Phipps, late Sheriff of Ohio county.

An act for the benefit of the Sheriff of Laurel county.

An act for the benefit of N. E. Wright.

An act for the benefit of Frederick Gosney.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as afore-
said.

Mr. James, from the same committee, to whom was referred bills from
the House of Representatives, of the following titles, to-wit:

An act for the benefit of George S. Gravit, late Sheriff of Grant coun-
ty.

An act for the benefit of the Sheriff of Hart county.

An act for the benefit of J. W. Mobley, of Todd county.

Reported the same, with the opinion of the committee that they ought
not to pass.

Ordered, That said bills be laid on the table.

Mr. Bradley, from the joint committee on Enrollments, reported that the
committee had examined enrolled bills, which originated in the Senate,
of the following titles, to-wit:

An act to amend the act incorporating the town of Greensburg.

An act to incorporate the Logan Manufacturing Company.

An act to amend an act, entitled, an act to establish the town of Peters-
burg, in Boone county, approved January 7th, 1839.

An act for the benefit of James Sudduth.

An act for the benefit of the infant heirs of Augustus F. Jacob, of Caldwell county.

An act for the benefit of the heirs of James B. Blair, deceased.

An act to amend an act for the benefit of Ann L. Clements, approved February 3, 1847.

An act for the benefit of the heirs of Philip Baker.

An act to amend an act, entitled, an act to establish the town of Cornishville, approved February 23d, 1847, and for other purposes.

An act supplementary to an act incorporating the Paris, Winchester and Kentucky River Turnpike Road Company, and the North Middletown Turnpike Road Company, and for other purposes.

And enrolled bills which originated in the House of Representatives, of the following titles, to-wit:

An act to incorporate the Great Crossings and Stamping Ground Turnpike Road Company.

An act for the benefit of Jesse Day, of Morgan county.

An act to change the time of holding the Oldham Circuit Court.

An act to exempt keepers of public ferries, in Morgan county, from working on roads.

An act to change the time of holding the Estill County Court.

An act to amend an act, entitled, an act to incorporate the Lexington Gas Company.

An act to incorporate the Odd Fellows Hall of Newport, Kentucky.

An act relating to the road tax in Germantown, and for other purposes.

An act for the benefit of the Board of Internal Improvement.

An act for the benefit of James Dewitt, Benjamin Riddle and Isaac Chenowith.

An act to erect a monument to those who have fallen in defence of their country.

An act to change a part of the State road in Kenton county.

An act for the benefit of Garnett A. Dowell.

An act to repeal the law in relation to private pass-ways in the county of Mercer, and for other purposes.

And had found the same truly enrolled.

The said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approbation and signature. After a short time Mr. Bradley reported that the committee had performed that duty.

Mr. James, from the committee on Finance, to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of George

Johnson, late Sheriff of Union county, and for other purposes, reported the same without amendment.

The said bill was amended and ordered to be read a third time.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bill, as amended, do pass, and that the title thereof be as aforesaid.

Mr. James, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act to increase the compensation of Grand Jurors, reported the same without amendment.

The said bill reads as follows, to-wit:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That Grand Jurors shall, from and after the passage of this act, receive one dollar per day for each and every day any Grand Juror may serve under the existing laws: *Provided*, That in all cases where Grand Jurors continue in session longer than two days, their compensation shall be reduced to fifty cents per day, for every day they may continue thereafter.

Mr. J. Speed Smith moved to amend said bill by striking out all that part after the word "receive," printed in italics, and inserting in lieu thereof the words "no compensation for their services as such."

The question being taken on the adoption of said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. James and J. Speed Smith, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Speed Smith,

Todd—2.

Those who voted in the negative, were—

Messrs. Boyd,

Bradley,

Bramlette,

Brien,

Draffin,

English,

Evans,

Grey,

Hambleton,

Hardin,

Heady,

Hobbs,

Holloway,

James,

Marshall,

McMillan,

McNary,

Rice,

Slaughter,

Swope,

Taylor,

Thomas,

Thornton,

Thurman,

Walker,

Wall,

White,

Williams—28.

Mr. Rice moved to amend the proviso to said bill so as to make it read as follows:

Provided, That in all cases where Grand Jurors shall continue in session longer than two days, they shall receive no compensation for their services over and above the two days.

Mr. Boyd moved the previous question, and it was decided in the affirmative.

The main question was then put, which was, "shall the bill be read a third time?" and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. J. Speed Smith and James, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Boyd,	Hobbs,	Taylor,
Bradley,	Holloway,	Thomas,
Draffin,	James,	Thurman,
English,	McMillan,	Walker,
Evans,	McNary,	Wall,
Grey,	Rice,	White,
Hambleton,	Swope,	Williams—22.
Heady,		

Those who voted in the negative, were—

Messrs. Bramlette,	Marshall,	Speed Smith,
Brien,	Russell,	Thornton,
Hardin,	Slaughter,	Todd—9.

The constitutional rule as to the third reading being dispensed with,
Resolved, That said bill do pass, and that the title thereof be as afore-said.

Mr. Evans, from the committee on Education, to whom was referred a bill from the House of Representatives, entitled, an act to incorporate the Philomathean Society of the Kentucky Military Institute, reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as afore-said.

The Senate proceeded to the consideration of the special order of the day, being a bill for the benefit of the Lunatic Asylum at Lexington.

Mr. Williams moved an amendment to said bill.

The question being taken on the adoption of said amendment, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Rice and Williams, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Boyd,	Hobbs,	Thornton,
Bramlette,	Marshall,	Todd,
Draffin,	McMillan,	Walker,
Evans,	McNary,	Wall,
Fox,	Speed Smith,	White,
Grey,	Taylor,	Williams—19.
Helm,		

Those who voted in the negative, were—

Messrs. Bradley,	Hardin,	Russell,
Brien,	Heady,	Swope,
English,	Holloway,	Thomas,
Hambleton,	Rice,	Thurman—12.

The said bill was further amended.

The amendment proposed by Mr. Williams was reconsidered.

The said amendment was amended and adopted.

Ordered, That said bill be engrossed and read a third time.

The constitutional rule as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was taken on the passage thereof, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Brien and Boyd, were as follows, to-wit:

Those who voted in the affirmative, were—

Mr. Speaker, (Patterson.)	Heady,	Speed Smith,
Messrs. Boyd,	Helm,	Taylor,
Draffin,	Hobbs,	Thornton,
Evans,	McMillan,	Todd,
Fox,	Marshall,	Walker,
Grey,	Russell,	White,
Hardin,	Slaughter,	Williams—21.

Those who voted in the negative, were—

Messrs. Bradley,	McNary,	Thomas,
Brien,	Rice,	Wall—8.
Hambleton,	Swope,	

Resolved, That the title of the said bill be as aforesaid.

Leave was given to Mr. McNary to withdraw the petition of Jackson Wilkins.

A message was received from the House of Representatives, by Mr. Price, announcing that they had passed a bill, entitled, an act concerning the Common School System.

Mr. Williams read and laid on the table the following joint resolutions, to-wit:

Resolved by the General Assembly of the Commonwealth of Kentucky, That Major John P. Gaines, Captain Cassius M. Clay, Lieutenant George R. Davidson, and their thirty companions in arms, who were taken prisoners by a force of 3000 armed Mexicans, under General Minon, at Encarnacion, deserve the thanks of the people of Kentucky for their bravery, and for their cool determination to maintain the honor of the American name and arms and the untarnished reputation of Kentucky, when escape was impossible and destruction inevitable save by a surrender.

Resolved, That Captain William J. Heady, Lieutenant J. Churchill and their eighteen brave companions, taken captive by a superior Mexican force, when resistance would have been vain, have the thanks of the people of Kentucky for their bravery, and sympathy for their sufferings while in captivity.

Resolved, That Major John P. Gaines has won the admiration of the people of Kentucky, by honorably withdrawing his parole as a prisoner of war, when ordered by General Lombardini to go to Toluca; by his escape through the lines of the enemy; by his successful junction with the American Army, and by his gallant bearing at Cherubusco, Chapultepec, and all the battles fought before the walls and in the city of Mexico, he being the only volunteer from Kentucky who participated in the achievements of General Scott and his army in those memorable victories.

The rule of the Senate being dispensed with, the said resolutions were taken up, twice read and adopted.

A bill from the House of Representatives, entitled, an act to amend proceedings in criminal and penal cases, came up in the orders of the day.

The said bill reads as follows, to-wit:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That hereafter, in the selection of a jury for the trial of any felony or penal offence, the Attorney for the Commonwealth shall have the privilege of challenging, peremptorily, not exceeding six who may be called to act as jurors.

Mr. Draffin moved to lay the said bill on the table.

The question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Swope and Williams, were as follows, to-wit:

Those who voted in the affirmative, were—

Mr. Speaker, (Patterson,)	Evans,	Heady,
Messrs. Bradley,	Fox,	McNary,
Draffin,	Grey,	Todd—10.
English,		

Those who voted in the negative, were—

Messrs. Boyd,	Holloway,	Thomas,
Brien,	Marshall,	Thornton,
Hardin,	McMillan,	Walker,
Helm,	Swope,	Williams—14.
Hobbs,	Taylor,	

The question being taken on reading the said bill a third time, and it was decided in the negative, and so the said bill was disagreed to.

The yeas and nays being required thereon by Messrs. Fox and J. Speed Smith, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Brien,	Marshall,	Taylor,
Hardin,	McMillan,	Thomas,
Helm,	Speed Smith,	Thornton,
Hobbs,	Swope,	Williams—12.

These who voted in the negative, were—

Mr. Speaker, (Patterson,)	Fox,	Rice,
Messrs. Boyd,	Grey,	Russell,
Bradley,	Hambleton,	Slaughter,
Bramlette,	Heady,	Thurman,
Draffin,	Holloway,	Todd,
English,	James,	Wall,
Evans,	McNary,	White—21.

A bill from the House of Representatives, entitled, an act to establish a State road from Morganfield, through Smithland, to Paducah, was taken up and amended.

Ordered, That said bill be read a third time, as amended.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bill, as amended, do pass, and that the title thereof be as aforesaid.

A bill to amend an act, entitled, an act to amend an act concerning ferries, approved February —, 1820, was taken up and amended.

Mr. English moved further to amend the said bill by adding thereto the following proviso, to-wit:

Provided, That this act shall not apply to the ferry case now pending in the county of Trimble, of John M. Abbitt and King's heirs.

The question being taken on the adoption of said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. English and Swope, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Bradley,	Grey,	Thurman,
Bramlette,	Heady,	White,
English,	Marshall,	Williams—9.

Those who voted in the negative, were—

Mr. Speaker, (Patterson,)	Hobbs,	Speed Smith,
Messrs. Boyd,	Holloway,	Swope,
Brien,	McMillan,	Taylor,
Evans,	McNary,	Thornton,
Fox,	Rice,	Todd,
Hardin,	Russell,	Wall—19.
Helm,		

The question was then taken on engrossing and reading the said bill a third time, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. English and J. Speed Smith, were as follows, to-wit:

Those who voted in the affirmative, were—

Mr. Speaker, (Patterson,)	Hardin,	Swope,
Messrs. Boyd,	Helm,	Taylor,
Bramlette,	Hobbs,	Thornton,

Brien,
Evans,
Fox,
Grey,

Holloway,
McMillan,
Speed Smith,

Todd,
Wall,
White—19.

Those who voted in the negative, were—

Messrs. Bradley,
English,
Heady,

Marshall,
McNary,
Rice,

Thurman,
Williams—8.

A message was received from the Governor, by Mr. Reed, Secretary of State, announcing that the Governor had approved and signed enrolled bills which originated in the Senate, of the following titles, viz:

An act for the benefit of James L. Ballard and Matilda, his wife.

An act to incorporate the Lebanon Lodge.

An act to incorporate the Long Run Baptist Church, of Jefferson county.

An act increasing the powers of the Harrison County Court.

An act for the benefit of the widow and heirs of John Turley, deceased.

An act for the benefit of Joseph C. Harrison, of Boone county, and others.

An act to amend an act, entitled, an act to increase the powers of the Trustees of the town of Versailles.

An act for the benefit of Benjamin W. Burge, of Warren county.

An act to detach Estill county from the 11th and to add it to the 10th Judicial District.

An act for the benefit of the Surveyors of Henry and Lewis counties.

An act to amend the charter of the Franklin Fire and Marine Insurance Company, of Louisville.

An act to amend an act, entitled, an act to establish the town of Brooksville, in Bracken county.

Approved February 25, 1848.

On the motion of Mr. Bramlette, leave was given to bring in a bill in reference to the vacant and Seminary lands and Common Schools, in Wayne county; and the committee on Education was directed to prepare and bring in the same.

A message, in writing, was received from the Governor, by Mr. Reed, Secretary of State.

The rule of the Senate being dispensed with, the said message was taken up, and read as follows, to-wit:

Gentlemen of the Senate:

I nominate for your advice and consent, Thornton F. Johnson to be Colonel; W. Fenn Hopkins, Lieut. Colonel, and W. A. Forbes, Major of the Western Military Institute.

Curtis Parke to be Colonel; Bartleson Taylor, Lieut. Colonel, and James B. Wright, Major of 7th Regiment, 13th Brigade.

WM. OWSLEY.

Resolved, That the Senate advise and consent to the said appointments.

The following bills were reported, to-wit:

By Mr. James, from the committee on Finance—A bill for the benefit of Isham G. Hamilton, and for other purposes.

By same—A bill for the benefit of Jacob Corbett, of Ballard county.

By Mr. Evans, from the committee on Education—A bill in reference to the vacant and Seminary lands and Common Schools in Wayne county.

By Mr. Thornton, from a select committee—A bill to incorporate a Turnpike Road from Versailles to Nicholasville.

By Mr. J. Speed Smith, from a select committee—A bill authorizing the appointment of a Police Judge for the town of Richmond.

By Mr. Hardin, from the committee on the Judiciary—A bill for the benefit of the children and heirs at law of Louisa Dennington.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Slaughter, from a select committee, reported a bill to authorize a survey of Salt river, and the Rolling and Beech Forks, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bill being dispensed with, and the same being engrossed,

The question was taken on the passage thereof, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. McNary and Hambleton, were as follows, to-wit:

Those who voted in the affirmative, were—

Mr. Speaker, (Patterson,)	Fox,	McMillan,
Messrs. Boyd,	Grey,	Slaughter,
Bradley,	Hardin,	Swope,
Bramlette,	Heady,	Thornton,
Draffin,	Helm,	Williams—17.
Evans,	Hobbs,	

Those who voted in the negative, were—

Messrs. Brien,	Holloway,	Thomas,
English,	Marshall,	Walker,
Hambleton,	McNary,	Wall—9.

Resolved, That the title of the said bill be as aforesaid.

Bills from the House of Representatives, of the following titles, were severally read the first time, to-wit:

1. An act to change the venue in the prosecution against John A. Claywell.

2. An act for the benefit of Martha Anderson, of Allen county.
3. An act further regulating the docketing of causes in the Court of Appeals.
4. An act to revive and amend an act to incorporate the Augusta, Cynthiana and Georgetown Turnpike Company.
5. An act to amend an act, entitled, an act to amend in part and repeal in part the act establishing a road from London to the mouth of Big Laurel river, approved 30th January, 1847.

Ordered, That said bills be read a second time.

The constitutional rule as to the second reading of said bills being dispensed with, the 2d was referred to the committee on Finance; the 4th was placed in the orders of the day; and the 1st, 3d and 5th were ordered to be read a third time.

The constitutional rule as to the third reading of the 1st, 3d and 5th bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A bill from the House of Representatives, entitled, an act to provide for the location and erection of the Second Kentucky Lunatic Asylum, was read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bill being dispensed with,

The question was taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Marshall and Evans, were as follows, to-wit:

Those who voted in the affirmative, were—

Mr. Speaker, (Patterson,)	Grey,	McNary,
Messrs. Boyd,	Hardin,	Russell,
Bradley,	Heady,	Speed Smith,
Brien,	Helm,	Taylor,
Draffin,	Hobbs,	Thornton,
Evans,	Holloway,	Todd,
Fox,	McMillan,	Walker—21.

Those who voted in the negative, were—

Messrs. English,	Swope,	Wall,
Marshall,	Thomas,	White,
Rice,	Thurman,	Williams—9.

Resolved, That the title of said bill be as aforesaid.

A bill from the House of Representatives, entitled, an act for the benefit of the Kentucky Institution for the Education of the Blind, was read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading of said bill being dispensed with,

The question was taken on reading it a third time, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Heady and Draffin, were as follows, to-wit:

Those who voted in the affirmative, were—

Mr. Speaker, (Patterson,)	Helm,	Taylor,
Messrs. Boyd,	Hobbs,	Thomas,
Draffin,	McMillan,	Thornton,
Evans,	Rice,	Todd,
Fox,	Russell,	Walker,
Grey,	Speed Smith,	Wall,
Hardin,	Swope,	White—21.

Those who voted in the negative, were—

Messrs. Bradley,	Heady,	Thurman,
Brien,	Marshall,	Williams—8.
English,	McNary,	

Mr. Hobbs moved to dispense with the third reading of said bill.

The question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Heady and English, were as follows, to-wit:

Those who voted in the affirmative, were—

Mr. Speaker, (Patterson,)	Hobbs,	Thomas,
Messrs. Boyd,	McMillan,	Thornton,
Draffin,	McNary,	Thurman,
Evans,	Rice,	Todd,
Fox,	Russell,	Walker,
Grey,	Speed Smith,	Wall,
Hardin,	Swope,	White,
Helm,	Taylor,	Williams—24.

Those who voted in the negative, were—

Messrs. Bradley,	English,	Marshall—5.
Brien,	Heady,	

Resolved, That said bill do pass, and that the title thereof be as afore-said.

And then the Senate adjourned.

SATURDAY, FEBRUARY 26, 1848.

A message was received from the House of Representatives, announcing that they had passed bills from the Senate, of the following titles, to-wit:

An act to divorce Isabella Snelling, and for other purposes.

An act to divorce William R. Ennis from his former wife, and for other purposes.

That they had passed bills of the following titles, to-wit:

An act to divorce Joel Jones and others.

An act to divorce Helen Plasters.

An act to divorce William Grady.

An act to divorce John L. Jackson.

An act to divorce Volney and Rachel Bedford.

An act to divorce Julia G. and Nicholas M. Taylor.

An act to divorce Jesse Key.

An act to abolish certain election precincts in Daviess county, and establish an election precinct in the town of Calhoun.

That they had concurred in the report of the committee of conference on the disagreement of the two houses, to the amendments proposed by the Senate, to a bill from that House, entitled, an act to increase the revenue.

Mr. McMillan, from the joint committee appointed to wait on the Rev. R. J. Breckinridge, and solicit a copy of the address on Education, delivered by him during the present session of the Legislature, reported the following joint resolution, to-wit:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Public Printer, so soon as the manuscript of the address of the Rev. R. J. Breckinridge, Superintendent of Public Instruction, delivered during this session, in the Representatives Hall, upon the subject of Common Schools, shall be delivered to him, shall print 5000 copies thereof for the use of the people in this State; and that the same be sent to the Senators and Representatives of the present Legislature, by the persons employed to distribute the Acts and Journals.

The rule of the Senate being dispensed with, the said resolution was taken up, twice read and adopted.

The following bills were reported, to-wit:

By Mr. Swope, from a select committee—1. A bill for the benefit of Samuel Allen and others.

By Mr. Thomas, from a select committee—2. A bill to amend the road law of Campbell county.

By Mr. Hardin, from the committee on the Judiciary—3. A bill for the benefit of William Hackley and Clarissa, his wife, and her children.

By Mr. J. Speed Smith, from the committee on Internal Improvement—4.
A bill for the benefit of James McConnell.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading of said bills being dispensed with, the first was referred to the committee on the Judiciary, and the 2d, 3d and 4th were ordered to be engrossed and read a third time.

The constitutional rule as to the third reading of the 2d, 3d and 4th bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

On the motion of Mr. J. Speed Smith,

Ordered, That a message be sent to the House of Representatives to ask leave to withdraw the report of the concurrence of the Senate in resolutions from that House, in relation to the boundary between the States of Ohio, Indiana, Illinois and Kentucky; and Mr. J. Speed Smith was directed to carry said message.

After a short time, Mr. J. Speed Smith reported that the resolutions had been withdrawn.

The vote by which said resolutions were concurred in was reconsidered.

The said resolutions were then amended and concurred in.

Mr. Hardin, from the committee on the Judiciary, to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of Ira H. and William George, reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. James, from the committee on Finance, to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of John Judy, reported the same.

Ordered, That said bill be read a third time.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

On the motion of Mr. Evans, the committee on Education was discharged from the further consideration of the petition of the Trustees of Mount Vernon District School, in Nicholas county.

Mr. Heady, from the committee on Military Affairs, to whom was referred a bill from the House of Representatives, entitled, an act to authorize the Court of Appeals of the 49th Regiment, Kentucky Militia, to hear appeals in certain cases, reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Heady, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act to amend the militia laws, reported the same, with the opinion of the committee that it ought not to pass.

The question being taken on reading said bill a third time, it was decided in the negative, so the said bill was disagreed to.

Mr. Hardin, from the committee on the Judiciary, to whom was referred a bill to regulate the time of holding the Logan Circuit Courts reported the same.

The said bill is as follows, to-wit:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That hereafter the Circuit Courts in Logan county shall commence on the second Monday's in June and December, and continue twelve juridical days, if the business of the court shall require it.

Mr. Grey moved to amend the said bill by striking out all after the enacting clause, and inserting in lieu thereof the following:

The Logan Circuit Court shall commence on the first Mondays in April and October of each year, and continue twelve juridical days, if the business of the court shall require it.

That the Allen Circuit Court shall commence on the second Monday's in the months of May and November, and continue twelve juridical days, if the business of the court shall require it.

Mr. Evans moved to lay the said bill and amendment on the table.

The question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Grey and Walker, were as follows, to-wit:

Those who voted in the affirmative, were—

Mr. Speaker, (Patterson)	Hambleton,	Swope,
Messrs. Boyd,	Hardin,	Taylor,
Bramlette,	Hobbs,	Todd,
Brien,	Holloway,	Walker,
Draffin,	James,	Wall,
Evans,	McMillan,	White,
English,	Rice,	Williams—23.
Fox,	Speed Smith,	

Those who voted in the negative, were—

Messrs. Grey,	McNary,	Thurman—4.
Heady,		

Mr. Hardin, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act to amend the law regulating

the administration and settlement of decedents estates, reported the same without amendment.

Mr. Swope moved to lay the said bill on the table.

The question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. James and Swope, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Brien,	Hambleton,	Taylor,
English,	Heady,	Thomas,
Fox,	Hobbs,	Todd,
Grey,	Swope,	Wall—12.

Those who voted in the negative, were—

Mr. Speaker, (Patterson,)	Hardin,	Speed Smith,
Messrs. Boyd,	Holloway,	Thurman,
Bramlette,	James,	Walker,
Draffin,	McMillan,	White,
Evans,	McNary,	Williams—15.

Mr. James moved the following proviso as amendment to said bill, viz:

Provided, That the provisions of this act shall not apply to any estate when the assets do not exceed the sum of two hundred dollars; and in such cases three months notice shall be given by the executor or administrator of the time and place when proof will be received of the claims against any estate, and after all are made out, a pro rata distribution shall be made as provided for by the above act.

The question being taken on the adoption of said amendment, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. James and Walker, were as follows, to-wit:

Those who voted in the affirmative, were—

Mr. Speaker, (Patterson,)	Hobbs,	Thurman,
Messrs. Bradley,	Holloway,	Todd,
Brien,	James,	Walker,
English,	Marshall,	Wall,
Grey,	McNary,	White,
Hardin,	Russell,	Williams—20.
Heady,	Speed Smith,	

Those who voted in the negative, were—

Messrs. Boyd,	Evans,	Taylor—5.
Draffin,	Swope,	

Ordered, That said bill be read a third time.

Mr. James moved to dispense with the rule requiring said bill to be read a third time.

The question being taken thereon, it was decided in the negative, there not being four-fifths in the affirmative.

The yeas and nays being required thereon by Messrs. Swope and James, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Boyd,	Hobbs,	Speed Smith,
Bradley,	Holloway,	Todd,
Bramlette,	James,	Walker,
English,	Marshall,	Wall,
Grey,	McNary,	White,
Hardin,	Russell,	Williams—19.
Heady,		

Those who voted in the negative, were—

Messrs. Brien,	Evans,	Taylor—5.
Draffin,	Swope,	

Mr. Hardin, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act to regulate the duties of Jailers, and for other purposes, reported the same.

Ordered, That said bill be read a third time.

Mr. Walker, from the committee on Propositions and Grievances, to whom was referred a bill from the House of Representatives, entitled, an act to repeal an act, entitled, an act to prevent the sale of spirituous liquors within the town of Lagrange and one mile therefrom, approved January 29, 1846, reported the same, with the opinion of the committee that it ought not to pass.

The said bill is as follows, to-wit:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That an act, entitled, an act to prevent the sale of spirituous liquors withing the town of Lagrange and one mile therefrom, approved January 29, 1846, be and the same is hereby repealed.

Mr. Taylor moved to lay the said bill on the table.

The question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. English and Draffin, were as follows, to-wit:

Those who voted in the affirmative, were—

Mr. Speaker, (Patterson)	McMillan,	Todd,
Messrs. Bramlette,	Russell,	Walker,
Draffin,	Speed Smith,	Wall,
Evans,	Swope,	White,
Grey,	Taylor,	Williams—17.
Hardin,	Thornton,	

Those who voted in the negative, were—

Messrs. Boyd,	Heady,	Marshall,
Bradley,	Helm,	McNary,
Brien,	Holloway,	Thurman—11.
English,	James,	

Bills from the House of Representatives, of the following titles, were severally read the first time, to-wit:

An act to establish additional election precincts in certain counties for certain purposes.

An act for the benefit of the town of Bloomfield.

An act to incorporate the Harrod's Creek Academy, in Oldham county.

An act to divorce Jack Henderson.

An act to divorce John C. Wolf.

An act for the benefit of the Carroll County Court.

An act to allow an additional Justice of the Peace to the county of Pulaski.

An act concerning the Banks of Kentucky.

An act to divorce Mary E. Crane.

An act to divorce Helen Plasters.

An act to divorce William Grady.

An act to divorce John L. Jackson.

An act to divorce Volney and Rachel Bedford.

An act to divorce Julia G. and Nicholas M. Taylor.

An act to abolish certain election precincts in Daviess county, and establish an election precinct in the town of Calhoun.

Ordered, That said bills be read a second time.

The constitutional rule as to the second and third readings of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A bill from the House of Representatives, entitled, an act to revive and amend an act to incorporate the Augusta, Cynthiana and Georgetown Turnpike Company, was read a third time.

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A bill from the House of Representatives, entitled, an act concerning the Common School System, was read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading of said bill being dispensed with,

The said bill was ordered to be read a third time.

Mr. Evans moved to dispense with the rule requiring said bill to be read a third time.

The question being taken thereon, it was decided in the negative, there not being four-fifths in the affirmative.

The yeas and nays being required thereon by Messrs. James and Draffin, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Boyd,	Helm,	Swope,
Bramlette,	Hobbs,	Taylor,
Draffin,	Holloway,	Thomas,
Evans,	McMillan,	Todd,
Fox,	McNary,	Wall,
Grey,	Russell,	White,
Hardin,	Speed Smith,	Williams—21.

Those who voted in the negative, were—

Mr. Speaker, (Patterson.)	Hambleton,	James,
Messrs. Brien,	Heady,	Marshall—7.
English,		

Ordered, That said bill have its third reading on Monday next, at 10 o'clock.

A message, in writing, was received from the Governor, by Mr. Reed, Secretary of State.

The rule of the Senate being dispensed with, the said message was taken up, and read as follows, to-wit:

Gentlemen of the Senate:

I nominate for your advice and consent, W. P. Bramblet to be Colonel; W. S. Richart, Lieut. Colonel, and John M. James, Major of 47th Regiment, 15th Brigade.

John W. O'Rear to be Colonel of 31st Regiment, 15th Brigade.

Joseph G. Williams to be Colonel; Asbury Wade, Lieut. Colonel, and S. M. Stevenson, Major of 34th Regiment, 15th Brigade.

Robert W. Henry to be Lieut. Colonel of 97th Regiment, 27th Brigade.

Thomas Wiley to be Major of 39th Regiment, 27th Brigade.

WM. OWSLEY.

Resolved, That the Senate advise and consent to the said appointments.

Mr. McMillan, from the joint committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, to-wit:

An act to facilitate the construction of the Electric Telegraph.

An act for the benefit of the Clerks of the Simpson and Clarke County Courts.

An act to incorporate the Grand Division of Sons of Temperance of the State of Kentucky.

An act for the benefit of Isaac Bush.

An act to revive and amend the charter of the Shepherdsville and Louisville Turnpike Road Company.

An act to incorporate the Rough and Ready Turnpike Road Company, in Boone county.

An act for the benefit of Catharine Montgomery, of Washington county, and John H. Butler, of Hickman county.

An act to allow additional terms to the Harrison and Estill Circuit Courts, and to change the time of holding the chancery term of the Nicholas Circuit Court.

An act to charter the Second Baptist Church of Louisville.

An act for the benefit of the children of James Holland, of Caldwell county.

An act to amend the penal laws.

An act to authorize the Green County Court to sell the old Clerk's office of Green county.

An act to extend the limits of the town of Hamilton, in Boone county.

An act to provide for a change of venue in the prosecution against Asa Sisk.

An act to provide for a change of venue in the prosecution against William Peyton.

An act for the benefit of James Calhoun, and John Hill and wife.

An act to authorize the Mobile and Ohio Railroad Company to extend their Railroad from the south boundary line of the State of Kentucky to the Mississippi or Ohio rivers.

And enrolled bills which originated in the House of Representatives, of the following titles, to-wit:

An act to incorporate the town of Monticello.

An act to amend the road law in the county of Clarke, and for other purposes.

An act for the benefit of the mechanics of the town of Newport.

An act to establish the office of Police Judge of the town of New Liberty, in Owen county, and regulating the duties thereof.

An act to amend the Trustee law of the town of London.

An act for the benefit of Ann H. Cundiff, of Clay county.

An act to legalize the acts of William Teal, Constable of Owen county.

An act to divorce William W. and Nancy Milliken.

An act for the benefit of Nathaniel D. Burks and Magdalen Burks.

An act to divorce William Humphreys, of Hickman county.

An act allowing an additional Constable to Wayne county, and for other purposes.

An act fixing the rates of toll on the Wilderness turnpike road.

An act for the benefit of Ophelia Holloway and Andrew, her son.

An act for the benefit of William H. Curtis, of Monroe county.

An act for the benefit of Juliann Dickson Thomasson.

An act to amend the road law in the county of Knox.

An act for the benefit of William P. Woolley.

An act for the benefit of the Methodist church in Madison county.

An act authorizing the erection of an additional toll gate on the Versailles and Anderson turnpike road.

An act for the benefit of the Morgan County Court.

An act for the benefit of Elijah Hansbrough, of Hardin county.

An act to enlarge the limits of the town of Cadiz.

An act to amend the act requiring the several County Courts to procure a set of weights and measures, approved February 1, 1839.

An act to incorporate the Crittenden Mining Company.

An act to incorporate a Turnpike Road Company from Versailles to Midway.

An act to incorporate the Spencer County and Louisville Turnpike Road Company, and for other purposes.

An act for the benefit of M. C. Hughes, Surveyor of Owsley county.

An act to change the name of Henry Moore Henry to that of Francis Grey Henry.

An act to amend the law concerning forfeited recognizances and bail bonds.

And had found the same truly enrolled.

The said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approbation and signature. After a short time Mr. McMillan reported that the committee had performed that duty.

Leave of absence was granted to Mr. Holloway for the remainder of the session, after to-day.

Mr. Grey presented the petition of the members of the Hopkinsville Bar, praying that the terms of the Logan and Christian Circuit Courts may be so altered as not to conflict with each other.

Which was received and referred to the committee on Propositions and Grievances.

A bill to authorize the construction of Lock and Dam, No. 6, on the Kentucky river, was taken up.

The said bill reads as follows, to-wit:

SEC. 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Governor be and he is empowered and authorized, with a view to continue the slackwater navigation of the Kentucky river, to cause Lock and Dam No 6, on said river, to be constructed.

SEC. 2. *Be it further enacted*, That the Governor be and he is hereby empowered and required to direct a re-examination of the sites for the location of Locks and Dams on said river, by an able and competent engineer, at a salary not to exceed fifteen hundred dollars per annum, whose duty it shall be to superintend and direct in the construction of said Lock and Dam, and also to superintend the Locks and Dams already constructed on said river.

SEC. 3. *Be it further enacted*, That the net proceeds arising from the tolls which have accrued since the first day of January, 1848, and which may hereafter accrue, from the slackwater navigation on said Kentucky river, after deducting all sums necessary for repairs in preserving the improvements already made, and all other expenses incident to the collection of tolls, keeping gates, &c., on said river, be and the same are hereby appropriated to the construction of said Lock and Dam No. 6, and the salary and expenses of said engineer.

SEC. 4. *Be it further enacted*, That it shall be the duty of said engineer to enter into all contracts necessary and proper for the construction of said Lock and Dam, and for the land necessary for the location and construction thereof; said contracts to be made under the direction and sanction of the Governor and First and Second Auditors.

SEC. 5. *Be it further enacted*, That said net proceeds shall be placed in the Treasury, subject to be drawn by said engineer, whose check therefor, or any part thereof, shall be paid, if countersigned by the Governor and First and Second Auditors: *Provided, also*, That it shall be the duty of said engineer, Governor, and First and Second Auditors to make or sanction no contracts by which all necessary repairs and incidental expenses for the works now constructed on said river might be endangered or go unpaid.

The question was then taken on engrossing and reading said bill a third time, and it was decided in the negative, and so the said bill was rejected.

The yeas and nays being required thereon by Messrs. J. Speed Smith and Fox, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Driffin,	Russell,	Taylor,
Evans,	Speed Smith,	Todd,
Hobbs,	Swope,	Williams—9.

Those who voted in the negative, were—

Messrs. Bradley,	Hardin,	McNary,
Bramlette,	Heady,	Slaughter,
Brien,	Helm,	Thomas,
English,	James,	Walker,
Fox,	Marshall,	Wall,
Grey,	McMillan,	White—19.
Hambleton,		

A bill from the House of Representatives, entitled, an act to divorce Joel Jones and others, was read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bill being dispensed with,

The question was taken on the passage thereof, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Taylor and Driffin, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Bradley,	Fox,	Slaughter,
Brien,	Hambleton,	Speed Smith,
Draffin,	Heady,	Thomas,
Evans,	Helm,	White,
English,	James,	Williams—15.

Those who voted in the negative, were—

Messrs. Grey,	Marshall,	Swope,
Hardin,	McMillan,	Taylor,
Hobbs,	McNary,	Todd—9.

Resolved, That the title of said bill be as aforesaid.

A bill from the House of Representatives, entitled, an act to divorce Jesse Key, was read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading of said bill being dispensed with, it was ordered to be read a third time.

On the motion of Mr. Grey, the committee of the whole was discharged from the further consideration of a bill to regulate the time of holding the Courts in the 2d, 7th and 14th Judicial Districts, and for other purposes, and said bill was laid on the table.

A bill to provide for the location and erection of the Green River Lunatic Asylum, came up in the orders of the day.

Ordered, That said bill be laid on the table.

A bill from the House of Representatives, entitled, an act for the benefit of George W. Boyd, Drury W. Taylor and Isham J. Jones, was taken up and read the third time.

Mr. Taylor moved to lay said bill on the table.

The question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Taylor and Evans, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Fox,	Taylor,	Wall,
McMillan,	Todd,	Williams—7.
Swope,		

Those who voted in the negative, were—

Messrs. Bradley,	Hardin,	McNary,
Bramlette,	Heady,	Russell,
Brien,	Helm,	Thomas,
Draffin,	Hobbs,	Thurman,
Evans,	James,	Walker,
Grey,	Marshall,	White—19.
Hambleton,		

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A bill from the House of Representatives, entitled, an act to change the State road from Hopkinsville to Grey's ferry, was read the first time, as amended.

Resolved, That said bill, as amended, do pass, and that the title thereof be as aforesaid.

An engrossed bill, entitled, an act to amend an act, entitled, an act to amend an act concerning ferries, approved February —, 1820, was read the third time.

The question was taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. English and Marshall, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Brien,	Helm,	Swope,
Driffin,	Hobbs,	Taylor,
Evans,	McMillan,	Thomas,
Fox,	McNary,	Walker,
Grey,	Russell,	Wall,
Hambleton,	Slaughter,	Williams—20.
Hardin,	Speed Smith,	

Those who voted in the negative, were—

Messrs. Bradley,	Heady,	Marshall,
Bramlette,	James,	White—7.
English,		

Resolved, That the title of said bill be amended by adding, "and for other purposes."

A bill to extend the Franklin and Crab Orchard turnpike road to Oregon, in Mercer county, was taken up.

The said bill reads as follows, to-wit:

SEC. 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Board of Internal Improvement in Mercer county, on the Frankfort and Crab Orchard turnpike road, be and they are hereby authorized and directed to cause to be constructed a similar turnpike road from Oregon, on the Kentucky river, to the said Franklin and Crab Orchard road, and not farther on the said road than the Methodist church, in or near Salvisa.

SEC. 2. *Be it further enacted*, That for the purpose of aiding in the construction of said road, the said Board of Internal Improvement shall cause their books to be opened, for subscriptions to said road, at the Clerk's office in the town of Harrodsburg, and in the town of Salvisa, at Matheny's tavern, or at any other place in Mercer county, on the first Monday in the month of April next; and as soon as the sum of one thousand dollars, in shares of twenty five dollars, is subscribed and secured to the said Board, payable in six and twelve months, the said Board shall commence the construction and opening of said road.

SEC. 3. *Be it further enacted*, That for the purpose of aiding the said Board in the completion of the said road, the State's interest in the dividends arising from the tolls on the Franklin and Crab Orchard turnpike, in Mercer county, be and the same are hereby authorized to be used by the said Board in the construction of said road, for the term of five years, unless the same should be completed sooner.

SEC. 4. *And be it further enacted*, That the sum, so used by the Board, shall be taken and considered as so much stock subscribed on the part of the State, and shall be divided into shares of twenty five dollars; and it shall be the duty of the Board to make a report of the sums of money used by the said Board in the construction of the road, to the State board, who shall, upon the books of the State Board, enter the same as so much stock subscribed on the part of the State; and on the completion of said road, the Board of Internal Improvement for Mercer county shall have the same right to collect tolls from this road, as they have on the Franklin and Crab Orchard road.

The question was taken on engrossing and reading said bill a third time, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Heady and Evans, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Draffin,	Helm,	Todd,
Evans,	Hobbs,	White,
Grey,	Russell,	Williams—9.

Those who voted in the negative, were—

Messrs. Bradley,	Hardin,	Speed Smith,
Bramlette,	Heady,	Swope,
Brien,	James,	Taylor,
English,	Marshall,	Wall—14.
Hambleton,	McNary,	

A bill from the House of Representatives, entitled, an act to abolish the original jurisdiction of the Appellate Court in cases of ferries and mills, was taken up and read the third time.

Mr. Swope moved to lay said bill on the table.

The question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Draffin and Swope, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Bradley,	Hardin,	Taylor,
Bramlette,	Heady,	Thomas,
Brien,	McNary,	Todd,
Grey,	Swope,	Wall—12.

Those who voted in the negative, were—

Messrs. Draffin,	James,	White,
English,	Marshall,	Williams—8.
Helm,	Russell,	

A bill to extend the Constable's District of S. T. Givens, of Harrison county, was taken up.

Ordered, That said bill be laid on the table.

A bill for the benefit of Common Schools in this State, came up in the orders of the day.

Ordered, That said bill be laid on the table.

A bill from the House of Representatives, entitled, an act to amend the act relating to the town of Georgetown, came up in the orders of the day.

Ordered, That said bill be read a third time.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. J. Speed Smith, from the committee on Internal Improvement, to whom was referred a bill from the House of Representatives, entitled, an act to authorize the erection of a bridge across the Bayou de Chien, in Fulton county, reported the same, with the opinion of the committee that it ought not to pass.

The question being taken on reading the said bill a third time, and it was decided in the negative, and so the said bill was disagreed to.

Mr. J. Speed Smith, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act to change a part of the State road leading from Hopkinsville to Morgantown, reported the same with amendments, which were concurred in.

Ordered, That said bill be read a third time, as amended.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bill, as amended, do pass, and that the title thereof be as aforesaid.

Mr. Swope, from the same committee, to whom was referred a bill to provide for the unfinished works on Licking river, reported the same without amendment.

The said bill reads as follows, to-wit:

Whereas, the sum of \$316,380 09 has heretofore been paid for the construction, in part, of the five lower Locks and Dams on Licking river; and said expenditure, together with the amount expended to remove the bar at the mouth of the river, will become a total and irreparable loss to the State, unless some plan shall be adopted to prevent it. Therefore,

SEC. 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the sum of twenty thousand dollars be and the same is hereby appropriated, to be drawn from the Treasury by the Board of Internal Improvement, as heretofore drawn for internal improvement purposes, and to be applied by said Board to the completion, first, of Lock and Dam No. 2, on said river.

SEC. 2. *Be it further enacted*, That all of the net revenue, hereafter collected from the counties of Kenton, Campbell and Pendleton, over the sum

of \$2,500 per annum, be and the same is hereby appropriated and set apart to be applied by, and under the direction of said Board, to the completion of the aforesaid five Locks and Dams.

SEC. 3. *Be it further enacted*, That said Board be and they are hereby authorized to lease out, for a term of years, the water power at No. 2, as well as at any one or more of the Dams, for the best price they can obtain, as the respective Locks and Dams can be prepared for that purpose, and apply the proceeds, together with the funds herein set apart, to the completion of the whole of said five Locks and Dams.

SEC. 4. *Be it further enacted*, That the Board shall also have power to make contracts, to appoint a Superintendent, and to do whatever else may be necessary to enable them to perform the duties herein enjoined, as heretofore they were authorized to do, by the laws under which the public works of the State have been heretofore carried on, and to pay for the same out of the moneys by this act provided.

The question was then taken on engrossing and reading said bill a third time, and it was decided in the negative, and so the said bill was rejected.

The yeas and nays being required thereon by Messrs. Swope and J. Speed Smith, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Evans,	Swope,	Todd,
Hobbs,	Taylor,	Wall,
Russell,	Thomas,	Williams—10.
Speed Smith,		

Those who voted in the negative, were—

Messrs. Boyd,	Grey,	Holloway,
Bradley,	Hambleton,	James,
Bramlette,	Hardin,	McMillan,
Brien,	Heady,	McNary,
Draffin,	Helm,	White—16.
English,		

On the motion of Mr. J. Speed Smith, the vote by which a bill from the House of Representatives, entitled, an act for the benefit of J. W. Mobley, of Todd county, was laid on the table, was reconsidered.

Ordered, That said bill be read a third time.

Mr. McNary, from a select committee, to whom was referred a bill from the House of Representatives, entitled, an act to change a part of the State road from Bowlinggreen to Greenville, reported the same with amendments, which were concurred in.

Ordered, That said bill be read a third time, as amended.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bill, as amended, do pass, and that the title thereof be as aforesaid.

The committees on Internal Improvement, Judiciary, Religion and Education were discharged from the further consideration of all the business before them.

Leave was given to Mr. Hardin, to withdraw from the files of the Senate, the petition of George O. Thompson.

Mr. James, from the joint committee in relation to the erection of a public monument, made the following report, to-wit:

The Joint Committee, to whom was referred so much of the Governor's message as relates to the erection of "one common monument, worthy of her fallen sons, to mark the spot, and tell to future ages the esteem in which a magnanimous Commonwealth holds her chivalric and devoted sons;" and to whom was also referred the resolutions of near 20,000 of our citizens, who, when assembled at the burial of those who fell at the ever memorable battle of Buena Vista, requested the Legislature to cause a suitable monument to be erected to their memory—beg leave to report:

That they have given to the subject their serious and careful consideration. They have visited the spot in the Frankfort Cemetery, where the remains of many of Kentucky's most noble and patriotic sons, (officers and soldiers,) who fought and fell side by side in a foreign land, now lie, side by side, in the bosom of their own beloved State. The patriot will, in time to come, make his pilgrimage to their graves, and while the tear falls for their loss, his heart will swell with pride at the reflection that they fell in the defence of the honor of their country.

Your Committee feel that it was proud day for Kentucky, when the common soldier, who fell in a foreign land, was brought home and buried beside his officer, in view of her capitol, where their torn and blood-stained flag has been deposited by their surviving companions in arms.

Your Committee cannot omit to state that, in addition to those who rest in the public ground of the Cemetery, Kentucky has had cause to mourn the loss of many of her most gallant and gifted sons, who, during the Indian wars, the late war, and the present war, have laid down their lives to maintain the honor and advance the glory of their country. The casualties of war have caused their remains to rest in a distant land, and as yet no stone has been raised to commemorate their deeds, or hand down their names to posterity.

Your Committee would therefore recommend that, to preserve and perpetuate the names of those who have fallen in defence of their country, and to testify to the world the high regard that Kentucky cherishes for her patriotic and noble dead, and to stimulate those who may come after us to emulate the deeds of their ancestors, a military monument, worthy of the State, should be erected in the centre of the State mound of the Frankfort Cemetery.

In closing their report, your Committee take pride in stating that, however the people of Kentucky may differ upon questions of National and State policy, they can never fail to unite in every effort to sustain the honor of her flag, and in honoring those who die beneath its folds.

Your Committee beg leave to report the following bill for the consideration of the General Assembly.

THOMAS JAMES, *Chairman Senate Committee.*

LESLIE COMBS, *Chairman H. R. Committee.*

Mr. James, from the committee on Finance, to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of Abram

Watson, reported the same with an amendment as a substitute for said bill, which was concurred in.

Ordered, That said bill be read a third time, as amended.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bill, as amended, do pass, and that the title thereof be amended to read, "an act to provide for the sale of Island No. 4, in the Mississippi river."

Mr. James, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of Martha Anderson, of Allen county, reported the same without amendment.

The said bill reads as follows, to-wit:

Whereas, Martha Anderson, of Allen county, is without property or other means of support, and who cannot, by labor, procure a livelihood, being destitute of hands and arms from her nativity. Therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That there be allowed her, out of the Treasury of this State, fifty dollars per annum, for two years, and the Auditor shall draw a warrant for the same, on the application of the said Martha, by herself or agent authorized in writing, and the Treasurer will pay the same when presented.

The question being taken on reading said bill a third time, it was decided in the negative, so the said bill was disagreed to.

The yeas and nays being required thereon by Messrs. Heady and Evans, were as follows, to-wit:

Those who voted in the affirmative, were—

Mr. Speaker, (Patterson,)	Evans,	Russell,
Messrs. Draffin,	Hobbs,	Thomas—8.
English,	James,	

Those who voted in the negative, were—

Messrs. Boyd,	Hardin,	Swope,
Bradley,	Heady,	Todd,
Brien,	Holloway,	Wall,
Grey,	McMillan,	Williams—13.
Hambleton,		

Mr. James, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of John Rose and Elijah Chambers, of Morgan county, reported the same.

Ordered, That said bill be read a third time.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. James, from the same committee, to whom was referred bills from the House of Representatives, of the following titles, to-wit:

An act for the benefit of Thomas B. Powell, of the county of Boone.

An act for the benefit of John W. Hazlerigg.

Reported the same.

Ordered, That said bills be laid on the table.

Mr. Hobbs presented to the Senate a communication from Mr. P. Butler and Mr. W. T. Barbour, covering a letter from Major George A. Caldwell, of the Voltiguer Regiment, on service in Mexico, tendering to the State of Kentucky a brass cannon captured at the battle of Cerro Gordo.

The said communications are as follows, to-wit:

To the General Assembly of the Commonwealth of Kentucky:

We beg leave to lay before you a letter from the Hon. George A. Caldwell, late a member of Congress from the 4th District of Kentucky, now Major of the Voltiguer Regiment, on service in Mexico.

You will perceive, by reference to the letter of Maj. Caldwell, that he has requested us, (together with Col. Johnson, now absent,) in his name, to present to his native State a brass cannon, captured by our army at the memorable and eventful battle of Cerro Gordo.

This piece of ordinance is of Spanish manufacture, and was one of three guns which composed a battery under the command of Gen. La Vega, all of which were taken by our victorious troops. Being unable to preserve the numerous trophies won by their gallantry, the guns of La Vega's battery were spiked and thrown into the Rio del Plan.

Major Caldwell, whilst on his recent march from the city of Mexico to Vera Cruz, having halted on the battle field of Cerro Gordo, conceived and executed the design of recovering one of those cast-away trophies, won in part by the courage, and at the cost of the blood of Kentuckians, for the purpose of sending it to the State of Kentucky, as a monument of her title to share in the honors of that glorious day.

We, therefore, in the name and on behalf of Major George A. Caldwell, present to the State of Kentucky a long brass six pounder cannon, captured from the Mexicans by the American Army at the battle of Cerro Gordo, and request you, as her representatives, to accept and carefully preserve it. The gift is an interesting one. It is associated with events that swell the historic renown of the Republic.

The giver is a son of Kentucky, who bore an honorable part in the battle of Monterey, and in all the signal conflicts of the valley of Mexico.

Very respectfully, &c.

P. BUTLER,

W. T. BARBOUR.

VERA CRUZ, February 3, 1848.

GENTLEMEN—I send to Kentucky, by Lieut. Wm. C. Wagley, of the 3d Dragoons, a cannon taken by our army at the battle of Cerro Gordo. As I cannot be there in person, I take the liberty of requesting that you will take charge of the gun and present it, in my name, to the State, in the manner most convenient to yourselves, as a trophy of a foreign war, in whose toils and perils so many of her gallant sons have voluntarily and most nobly participated.

On my way to this place, from the city, in command of a large train, I took advantage of the delay caused in crossing the wagons over the river—

the enemy having destroyed the bridge—to recover this cannon from a deep hole in the river, where it had been thrown by our troops after the battle of Cerro Gordo. I desire that it shall be kept at the seat of government, and if the State should cause to be inscribed upon it the names of the distinguished and gallant Kentuckians who have fallen upon the various battle fields of the Mexican war, such a tribute to their memories would greatly enhance the pleasure of having secured, to my native State, a suitable trophy of a war in which our gallant little army has, upon *every* battle field, gathered unfading laurels, and whose achievements, unequalled in modern warfare, have excited the admiration of mankind, and must secure to us the respect of all nations, so long as Buena Vista, Cerro Gordo and Chapultepec shall find a place in history.

I have the honor to be, gentlemen,

Your friend and obedient servant.

GEORGE A. CALDWELL.

To Col. R. M. JOHNSON, Scott county; Col P. BUTLER, Louisville; Lieut. W. T. BARBOUR, Oldham county.

Ordered, That said communications be referred to a select committee of Messrs. Hobbs, J. Speed Smith, Williams, Hardin and Helm.

Mr. Walker, from the committee on Propositions and Grievances, to whom was referred bills from the House of Representatives, of the following titles, to-wit:

An act for the benefit of the Cumberland County Court.

An act for the benefit of Martha Jane Webb and Mary Jane Newland.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

On the motion of Mr. Walker, the committee on Propositions and Grievances was discharged from the further consideration of the petition of the members of the Bar of Hopkinsville; and also, from the further consideration of all the business before them.

The Speaker laid before the Senate a communication from L. Jones; which was received and referred to the committee on Finance.

And then the Senate adjourned.

MONDAY, FEBRUARY 28, 1848.

A message was received from the House of Representatives, announcing that they had concurred in the amendments proposed by the Senate, to resolutions from that House, in relation to the boundary between the States of Ohio, Indiana, Illinois and Kentucky.

That they had passed bills from the Senate, of the following titles, to-wit:

An act to repeal the 13th and 14th sections of an act, entitled, an act to amend the road law in the county of Trimble, approved January 18, 1848.

An act to fix the ratio and apportion the representation in the Senate and House of Representatives, for the ensuing four years.

With amendments to the last named bill, which amendments were concurred in.

That they had adopted preamble and resolutions rescinding the resolution for the final adjournment, and fixing a day.

The said preamble and resolutions were taken up.

Mr. Fox moved to amend the second resolution by striking out the "2d day of March," the day fixed for the final adjournment, and inserting in lieu thereof the "1st day of March."

Mr. Swope asked for a division of the question.

And the question being taken on striking out the 2d of March, it was decided in the negative.

The yeas and nays being required thereon by Messrs. James and Swope, were as follows, to-wit:

Those who voted in the affirmative, were—

Mr. Speaker, (Patterson),	Fox,	James,
Messrs. Bradley,	Hambleton,	Taylor,
Brien,	Hardin,	Walker,
Evans,	Heady,	White—12.

Those who voted in the negative, were—

Messrs. Boyd,	Helm,	Swope,
Bramlette,	Hobbs,	Thomas,
Draffin,	McMillan,	Todd,
English,	Russell,	Wall,
Grey,	Slaughter,	Williams—17.
Hawkins,	Speed Smith,	

The question being taken on concurring in the said preamble and resolutions, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Fox and Draffin, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Boyd,	Hobbs,	Swope,
Bramlette,	McMillan,	Taylor,
Grey,	Russell,	Thomas,
Hawkins,	Slaughter,	Todd,
Helm,	Speed Smith,	Wall—15.

Those who voted in the negative, were—

Mr. Speaker, (Patterson,)	Evans,	James,
Messrs. Bradley,	Fox,	Walker,
Brien,	Hambleton,	White,
Draffin,	Hardin,	Williams—14.
English,	Heady,	

Leave of absence was granted to Mr. Marshall for the remainder of the session.

Leave of absence was granted to Mr. Hambleton for the remainder of the session, after 10 o'clock to-morrow; and to Mr. James, for the remainder of the session, after 11 o'clock to-morrow; and to Mr. Fox for the remainder of the session, after Wednesday next.

Mr. Williams and Mr. Hawkins were added to the committee on Enrollments.

On the motion of Mr. Grey, leave was given him to withdraw, from the files of the Senate, the petition of the members of the Hopkinsville Bar.

A bill from the House of Representatives, entitled, an act to regulate the duties of Jailers, and for other purposes, was read the third time as follows, to-wit:

SEC. 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That where the County Court of any county in this Commonwealth, has erected, or shall hereafter erect, a house for the use and accommodation of the jailer, the court shall require the jailer to live therein; and if he shall fail to do so for two terms of the court, after an order has been made requiring him to live in the house, the court shall make an order declaring the office of jailer of the county vacant, and proceed forthwith to appoint a jailer; it shall not be necessary to serve a copy of the order on the jailer, or to give him any notice of the existence thereof; he must look to the orders of the court at his peril.

SEC. 2. Jailers shall not hereafter be appointed for and during the pleasure of the court, but for the term of four years; and the office of the several jailers in this Commonwealth shall expire this year at the autumn Courts of Claims, of the several counties in this State, at which time it shall be the duty of the several County Courts to appoint jailers, who shall hold their offices for the term prescribed by this act; and as often as any office of jailer shall become vacant by death, resignation, lapse of time, or removal by order of court, the said courts shall fill the vacancy by an appointment for four years, from the date of such appointment.

SEC. 3. It shall be the duty of the several County Courts of this Commonwealth, to furnish the jail with all the necessary and comfortable furniture for the prisoners therein, and medicines and medical and surgical aid

for the sick prisoners; and the said courts shall, at their annual Courts of Claims, lay a levy for the purpose of furnishing, re-furnishing, repairing and fitting out their said jails, so as to make the same as comfortable, clean and healthy as may consist with the safe custody of the prisoners.

SEC. 4. Before any person, who has been appointed jailer under the provisions of this act, shall assume the duties of the office, he shall give bond and surety, as now required, with the further condition that he will account faithfully for all articles of furniture connected with the jail, that shall or may come to his hands during his continuance in office.

SEC. 5. It shall be the duty of each Circuit Judge in this State, at each term of his court, and at any other time he may choose, to visit and inspect the jail of the county, in company with the Attorney for the Commonwealth, and whomsoever else he may choose, and if upon such inspection, the jail shall be found insufficiently furnished for the health and comfort of the prisoners, it shall be the duty of the Attorney for the Commonwealth to take out a rule against the County Court, requiring said County Court to appear and show cause why an order shall not be made commanding said County Court to discharge the duty imposed by this act; and the rule may be served on the presiding Justice, or a majority of the members of the court, and by such service the whole County Court, and each member thereof, shall be regarded as before the Circuit Court, for the purpose of hearing the rule; and five days notice shall be sufficient. And if, upon the hearing of the rule, the court shall consider the County Court derelict in the duties, or any of them, imposed by this act, an order shall be made commanding said County Court to fulfil them on or before a day to be fixed by the court, of which order the Clerk shall deliver to the Sheriff of the county copies, so that the Sheriff may, and whose duty shall be, to deliver copies to the Justices of the County Court; and if the members of the County Court shall fail or refuse to obey the same, the court shall issue an attachment against them, and proceed thereon as in cases of contempt.

SEC. 6. If upon inspection the Circuit Judge shall find that the County Court has performed the duty imposed by this act, but that the jailer is derelict in not keeping a clean and comfortable house, or in not having the furniture clean and in good order, he shall cause a rule to be served on the jailer to appear before him and show cause why an order shall not be made fining the jailer in a sum not less than five nor more than twenty dollars.

The question being taken on the passage of said bill, it was decided in the negative, and so said bill was disagreed to.

The yeas and nays being required thereon by Messrs. Taylor and Hobbs, were as follows, to-wit:

Those who voted in the affirmative, were—

Mr. Speaker, (Patterson),
Messrs. Bramlette,
Evans,
Hardin,

Hobbs,
McMillan,
Russell,

Slaughter,
Speed Smith,
Todd—10.

Those who voted in the negative, were—

Messrs. Boyd,	Grey,	Taylor,
Brien,	Hambleton,	Walker,
Draffin,	Heady,	Wall,
English,	James,	White—13.
Fox,		

A bill from the House of Representatives, entitled, an act concerning the Common School System, was read the third time.

The question being taken on the passage of said bill, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Williams and Evans, were as follows, to-wit:

Those who voted in the affirmative, were—

Mr. Speaker, (Patterson,)	Hardin,	Taylor,
Messrs. Boyd,	Helm,	Thomas,
Bramlette,	Hobbs,	Todd,
Draffin,	McMillan,	Walker,
Evans,	McNary,	White,
Fox,	Russell,	Williams—20.
Grey,	Speed Smith,	

Those who voted in the negative, were—

Messrs. Bradley,	Hambleton,	Swope,
Brien,	Heady,	Wall—8.
English,	James,	

Resolved, That the title of the said bill be as aforesaid.

A bill from the House of Representatives, entitled, an act to amend the law regulating the administration and settlement of decedents estates, was read the third time, as amended.

The question being taken on the passage of said bill, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Draffin and Swope, were as follows, to-wit:

Those who voted in the affirmative, were—

Mr. Speaker, (Patterson,)	Helm,	Speed Smith,
Messrs. Boyd,	Hobbs,	Walker,
Bramlette,	James,	Wall,
Hambleton,	McNary,	Williams—14.
Hardin,	Russell,	

Those who voted in the negative, were—

Messrs. Brien,	Fox,	Taylor,
Draffin,	Grey,	Thomas,
English,	Heady,	Todd,
Evans,	Swope,	White—12.

Resolved, That the title of said bill be as aforesaid.

A bill from the House of Representatives, entitled, an act to divorce Jesse Key, was read the third time.

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A bill from the House of Representatives, entitled, an act for the benefit of J. W. Mobley, of Todd county, was read the third time as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That J. W. Mobley, of Todd county, is hereby authorized to peddle in the counties of Todd, Logan and Christian, without incurring any of the penalties imposed by law for peddling without license.

The question being taken on the passage of said bill, it was decided in the negative, so the said bill was disagreed to.

The yeas and nays being required thereon by Messrs. Grey and Brien, were as follows, to-wit:

Those who voted in the affirmative, were—

Mr. Speaker, (Patterson),	English,	McNary,
Messrs. Bradley,	Evans,	Thomas,
Bramlette,	Grey,	Thornton,
Brien,	Hobbs,	Walker—13.
Draffin,		

Those who voted in the negative, were—

Messrs. Boyd,	James,	Taylor,
Fox,	McMillan,	Todd,
Hambleton,	Russell,	Wall,
Hardin,	Speed Smith,	White,
Heady,	Swope,	Williams—16.
Helm,		

A message was received from the Governor, by Mr. Mitchell, Assistant Secretary of State.

The rule of the Senate being dispensed with, the said message was taken up and read as follows, to-wit:

Gentlemen of the Senate:

I nominate for your advice and consent, Samuel T. Wilson to be Police Judge of the town of Greensburg.

Virgil McKnight and U. E. Ewing to be Directors, on the part of the State, of the Bank of Kentucky.

Henry Duncan and Madison C. Johnson to be Directors, on the part of the State, of the Northern Bank of Kentucky.

WM. OWSLEY.

Resolved, That the Senate advise and consent to the said appointments.

A message was received from the House of Representatives, announcing that they had receded from the amendment proposed by them to a bill from the Senate, entitled, an act concerning guardians.

That they had concurred in the amendments proposed by the Senate, to bills from that House, of the following titles, to-wit:

An act to establish two additional election precincts in Knox county.

An act to provide for running the dividing line between Bracken and Pendleton.

An act to amend an act entitled, an act to construct a road from Rochester, at the mouth of Muddy river, in Butler county, to Russellville, in Logan county.

An act to change the place of voting in an election precinct in the county of Henderson.

An act to amend the law regulating the taxation of costs in appeal cases.

An act to divorce Elizabeth A. King.

An act for the benefit of Julia A. Williams.

An act for the divorce of William W. Hinds.

An act to divorce William W. and Nancy Milliken.

An act for the benefit of David Snowden, former Sheriff of Owsley county.

An act allowing additional Justices of the Peace and Constables to certain counties.

An act to establish a State road from Morganfield, through Smithland, to Paducah.

An act for the benefit of Common Schools in the town of Portland.

An act for the benefit of William Mullen, of Wayne county, and for other purposes.

An act to change the State road from Hopkinsville to Gray's ferry.

An act to allow an additional Justice of the Peace to Barren county.

An act to amend the charter of the city of Covington.

An act for the benefit of the Surveyor of Scott county.

An act to change the name of James Riley Hammon, and for other purposes.

An act to change a part of the State road leading from Bowlinggreen to Greenville.

An act for the benefit of George Johnson, late Sheriff of Union county, and for other purposes.

An act to allow special terms of the Cumberland, Floyd and Pendleton Circuit Courts.

An act for the benefit of Abraham Watson.

That they had disagreed to the amendments proposed by the Senate, to bills from that House, of the following titles, to-wit:

1. An act to change a part of the State road leading from Hopkinsville to Morgantown.

2. An act concerning the election of electors.

3. An act to amend an act, entitled, an act to prevent the wanton destruction fish.

The 1st and 3d bills were laid on the table.

Resolved, That the Senate insist on their amendment to the 3d bill.

Messrs. Swope, Fox and Wall were appointed a committee of conference on the part of the Senate, on the disagreement of the two Houses, and they were directed to inform the House of Representatives thereof, and solicit the appointment of a committee on the part of the House.

A message was received from the House of Representatives, announcing that they insist on the amendment proposed by them, to a bill from the Senate, entitled, an act to provide for a change of venue in the prosecution against Francis M. Ewing; and that they had appointed a committee of conference on their part, on the disagreement of the two Houses to the amendment proposed to said bill, and solicited the appointment of a like committee on the part of the Senate.

Whereupon Messrs. Hardin, Wall and Evans were appointed a committee on the part of the Senate.

After a short time Mr. Hardin reported that the committee had agreed to strike out Russell and insert Taylor as the county to which the venue shall be changed.

The said report was concurred in.

Mr. Bradley, from the joint committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, to-wit:

An act to incorporate the Lexington and Frankfort Railroad Company.

An act to divorce Isabella Snelling, and for other purposes.

An act to divorce William R. Ennis from his former wife, and for other purposes.

An act to repeal the 13th and 14th sections of an act, entitled, an act to amend the road law in the county of Trimble, approved January 18, 1848.

And enrolled bills and enrolled preamble and resolutions, which originated in the House of Representatives, of the following titles, to-wit:

An act allowing additional Justices of the Peace and Constables to certain counties.

An act to change the venue in the prosecution against John A. Claywell.

An act to amend an act, entitled, an act to amend in part and repeal in part the act establishing a road from London to the mouth of Big Laurel river, approved 30th January, 1847.

An act for the benefit of the Kentucky Institution for the Education of the Blind.

An act further regulating the docketing of causes in the Court of Appeals.

An act to increase the compensation of grand jurors.

- An act for the benefit of Joel Sweeney.
- An act for the benefit of Thomas Phipps, late Sheriff of Ohio county.
- An act for the benefit of N. E. Wright.
- An act for the benefit of Frederick Gosney.
- An act to enlarge the powers of the Trustees of the town of Mt. Washington, in Bullitt county.
- An act to establish the town of Buena Vista, in Russell county.
- An act for the benefit of the Sheriff of Laurel county.
- An act to divorce John L. Jackson.
- An act to divorce William Grady.
- An act to abolish certain election precincts in Daviess county, and establish an election precinct in the town of Calhoun.
- An act to divorce Volney and Rachel Bedford.
- An act to divorce Julia G. and Nicholas M. Taylor.
- An act to divorce Mary E. Crane.
- An act for the benefit of John H. Parish, Surveyor of Madison county.
- An act to establish a Police Court in the town of Mt. Vernon.
- An act for the benefit of John Swansey's heirs, of Crittenden county.
- An act for the benefit of John Judy.
- An act for the benefit of Martha Jane Webb and Mary Jane Newland.
- An act to incorporate the Philomathean Society of the Kentucky Military Institute.
- An act to incorporate the West Louisville Cemetery.
- An act to increase the revenue.
- An act to incorporate the Christian Church of Mount Eden, in Spencer county.
- An act for the benefit of Ira H. and William George.
- An act to divorce John C. Wolf.
- An act to divorce Jack Henderson.
- An act for the benefit of John Rose and Elijah Chambers, of Morgan county.
- An act to allow an additional Justice of the Peace to the county of Pulaski.
- An act for the benefit of the town of Bloomfield.
- An act to amend the act relating to the town of Georgetown.
- An act for the benefit of George W. Boyd, Drury W. Taylor and Isham J. Jones.
- An act to authorize the Court of Appeals of the 49th Regiment of Kentucky Militia to hear appeals in certain cases.
- An act for the benefit of the Carroll County Court.
- An act to divorce Joel Jones and others.
- An act to amend an act to incorporate the Fireman's Insurance Company of Lexington, approved February 26, 1847.

An act for the benefit of the administrator and heirs of the estate of Benjamin Lancaster, deceased.

An act to incorporate the Harrod's Creek Academy, in Oldham county.

An act to revive and amend an act to incorporate the Augusta, Cynthiana and Georgetown Turnpike Company.

An act for the benefit of the administrator of Charles Carter, deceased.

An act concerning the Banks of Kentucky.

An act for the benefit of Wm. B. Smith, of Warren county, and Wm. S. Green, of Hart county.

An act for the benefit of the town of Newport, in Campbell county.

An act for the benefit of the infant children of William Carpenter, deceased, late of Mason county.

An act for the benefit of the Cumberland County Court.

An act to provide for the running and marking the dividing line between the counties of Russell, Casey and Pulaski.

An act to provide for the location and erection of the Second Kentucky Lunatic Asylum.

An act to establish additional election precincts in certain counties for certain purposes.

Preamble and resolutions relative to Mr. Asa Whitney's plan for a Railroad from Lake Michigan to the Pacific Ocean.

Resolutions in relation to the boundary between the States of Ohio, Indiana, Illinois and Kentucky.

And had found the same truly enrolled.

The said bills and resolutions having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approbation and signature. After a short time Mr. Bradley reported that the committee had performed that duty.

A message, in writing, was received from the Governor, by Mr. Mitchell, Assistant Secretary of State.

The rule of the Senate being dispensed with, the said message was taken up, and read as follows, to-wit:

Gentlemen of the Senate and House of Representatives:

Having just learned that Major George Alfred Caldwell has, by letter, presented to the State, a piece of artillery taken at Cerro Gordo, I will inform you that Capt. John S. Williams, of the Independent Company of Kentucky Volunteers, on his return from Mexico, also presented the State with a brass field piece taken in the battle of Cerro Gordo, to be kept as a trophy of the Mexican war.

The piece presented by Capt. Williams is dismounted, and the one presented by Maj. Caldwell will probably be in the same condition.

I respectfully suggest that these trophies be accepted, and that proper measures be taken to have them mounted and preserved in some manner suitable to the objects of their presentation.

WM. OWSLEY.

Ordered, That said message be referred to the select committee to whom was referred the communication of Major George A. Caldwell, tendering to the State of Kentucky a brass cannon, taken at the battle of Cerro Gordo.

After a short time Mr. Hobbs, from the said committee, made the following report, to-wit:

The joint committees to whom were referred the communications of his Excellency the Governor, Maj. Pierce Butler, Lieut. W. T. Barbour, and others, in relation to two pieces of brass ordnance, taken from the enemy at the memorable battle of Cerro Gordo, and presented to the State of Kentucky by her gallant sons, Major George A. Caldwell and Colonel John S. Williams—would respectfully report: That they have examined the several communications to them referred, and report the following resolutions:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the cannon tendered by Maj. George A. Caldwell and Col. John S. Williams be accepted, and that the Governor cause to be inscribed thereon, respectively, the history of their capture, and the names of the donors.

Resolved further, That the Governor communicate to those distinguished officers, (now in Mexico,) copies of these resolutions, and tender to them the thanks of Kentucky, for those valuable trophies of the valor of our countrymen at the memorable battle of Cerro Gordo.

The rule of the Senate being dispensed with, the said resolutions were taken up, twice read and adopted.

Leave was given to bring in the following bills, to-wit:

On the motion of Mr. Fox—1. A bill for the benefit of Uriah Pierce and Betsey, his wife.

On the motion of Mr. White—2. A bill to repeal the law reducing the price of vacant and unappropriated lands in Clay county.

Messrs. Fox, Heady and J. Speed Smith were appointed a committee to prepare and bring in the 1st, and Messrs. White, Boyd and Walker the 2d.

On the motion of Mr. Hardin, the vote by which a bill from the House of Representatives, entitled, an act to amend the law regulating administration and settlement of decedents estates, was passed, was reconsidered, and said bill was referred to a select committee of Messrs. Swope, Hardin, Wall, Draffin and Boyd, with instructions to report the same on to-morrow morning, at 10 o'clock.

Mr. Fox read and laid on the table the following preamble and resolution, to-wit:

Whereas, Col. Thomas Dollerhide, late a representative in the Senate of the Kentucky Legislature, from the county of Pulaski, departed this life at the seat of government, while in the service of the State, and was buried near the town of Frankfort, and the tomb erected over his grave is liable to be defaced and injured. Therefore,

Be it resolved by the General Assembly of the Commonwealth of Kentucky, That the Governor of Kentucky cause to be removed to the Public State Cemetery the remains of the said Col. Thomas Dollerhide, and there inter-

red, with a suitable stone and inscription, designating the spot where his remains are deposited.

The rule of the Senate being dispensed with, the said preamble and resolution were taken up, twice read and adopted.

The following bills were reported, to-wit:

By Mr. Wall—1. A bill to incorporate the town of Jamestown, in Campbell county.

By Mr. Fox, from a select committee—2. A bill for the benefit of Uriah Pierce and Betsey, his wife.

By Mr. White, from a select committee—3. A bill to repeal the law reducing the price of vacant lands in Clay county.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A bill from the House of Representatives, entitled, an act for the benefit of John W. Hazlerigg, was taken up.

Ordered, That said bill be read a third time.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A message was received from the House of Representatives, announcing that they had disagreed to bills from the Senate, of the following titles, viz:

An act for the benefit of James M. Shelly, Robert Harreld, and others.

An act for the benefit of Aaron Yager, of Boone county.

An act for the benefit of Rebecca Claypool, a lunatic.

An act for the benefit of Fleming Cayce, of Hickman county.

That they had passed bills from the Senate, of the following titles, to-wit:

An act for the benefit of Maria Graves, of Boone county.

An act for the relief of the widow and children of the late William R. McKee, deceased.

An act for the benefit of Sarah Jane Acuff, of Calloway county.

An act to divorce Elizabeth Morgan, of Trimble county, and George W. Aydelott, of Hickman county.

An act to amend the charter of the Frankfort and Louisville Railroad Company.

With amendments to the three bills last named, which amendments were concurred in.

That they had passed bills of the following titles, to-wit:

1. An act for the benefit of the Sheriff of Ballard county.

2. An act for the benefit of D. S. Goodloe & Co.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional rule as to second reading of said bills being dispensed with, the 1st was referred to a select committee of Messrs. James, Hardin and Brien, and the 2d was ordered to be read a third time.

The constitutional rule as to the third reading of the 2d bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

On the motion of Mr. English, leave was given to withdraw, from the files of the Senate, the petition of John Caunt and wife.

A message was received from the House of Representatives, announcing that they had refused to concur in the report of the committee of conference on the disagreement of the two Houses to the amendment proposed by the Senate, to a bill from that House, entitled, an act concerning the election of electors, and had appointed another committee to meet a similar committee on the part of the Senate.

Messrs. Hobbs, James and Walker were appointed a committee on the part of the Senate.

After some time Mr. Hobbs, from said committee, reported that the committee of conference had agreed that the Senate should recede from their said amendment.

The Senate resolved itself into a committee of the whole House, on said report, Mr. Evans in the Chair. After some time spent in committee, the Speaker resumed the Chair, when Mr. Evans reported that the committee had had under consideration the said report, and had directed him to report the same to the Senate.

The said amendment is as follows, to-wit:

Provided, That if any voter in this Commonwealth shall be absent from his county or place of voting, it shall be lawful for such absent voter to cast his vote for electors in the county where he may be; but before he shall be entitled to vote he shall report and make known his place of residence, and swear that he has not and will not vote at any other place for electors at the same election, and that he did not purposely come into said county to vote. And if any person shall presume to vote at any election for electors, in any way or manner not herein authorized, or shall swear falsely, such person shall be subject to all the pains and penalties imposed by the act, entitled, "an act the better to protect the purity of elections," for illegal voting and false swearing; and it shall be the duty of the Clerk to write opposite to, or under the name of such voter, his place of residence, and that he was sworn.

The question was then taken on concurring in the said report, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Swope and Boyd, were as follows, to-wit:

Those who voted in the affirmative, were—

Mr. Speaker, (Patterson),	Hawkins,	Taylor,
Messrs. Bradley,	Heady,	Thomas,
Bramlette,	Hobbs,	Todd,
Draffin,	McMillan,	Walker—14.
English,	Speed Smith,	

Those who voted in the negative, were—

Messrs. Boyd,	Hambleton,	Swope,
Brien,	Hardin,	Wall,
Evans,	James,	White,
Fox,	Russell,	Williams—13.
Grey,		

On the motion of Mr. Hobbs, the vote concurring in said report, was reconsidered.

The question was then taken on concurring in said report, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Swope and Draffin, were as follows, to-wit:

Those who voted in the affirmative, were—

Mr. Speaker, (Patterson),	Heady,	Taylor,
Messrs. Bradley,	Hobbs,	Thomas,
Bramlette,	McMillan,	Todd,
English,	Speed Smith,	Walker—13.
Hawkins,		

Those who voted in the negative, were—

Messrs. Boyd,	Grey,	Russell,
Brien,	Hambleton,	Swope,
Draffin,	Hardin,	Wall,
Evans,	Helm,	White,
Fox,	James,	Williams—15.

Ordered, That Mr. Hardin inform the House of Representatives thereof.

After some time, a message was received from the House of Representatives announcing that they adhered to their disagreement to the said amendment.

Mr. Heady moved that the Senate recede from their said amendment.

The question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Swope and Brien, were as follows, to-wit:

Those who voted in the affirmative, were—

Mr. Speaker, (Patterson),	Heady,	Taylor,
Messrs. Boyd,	Helm,	Todd,
Bradley,	Hobbs,	Walker,

English,
Grey,
Hawkins,

McMillan,
Slaughter,

White,
Williams—16.

Those who voted in the negative, were—

Messrs. Brien,
Draffin,
Evans,

Hambleton,
Hardin,
Swope,

Thomas,
Wall—8.

Two messages in writing, were received from the Governor, by Mr. Reed, Secretary of State.

The rule of the Senate being dispensed with, the said messages were taken up and read as follows, to-wit:

Gentlemen of the Senate:

I nominate for your advice and consent, B. M. Atherton to be Commissioner of Deeds, &c., for Kentucky, in Missouri.

Samuel Goode to be Commissioner of Deeds, &c., for Kentucky, in Indiana. WM. OWSLEY.

Gentlemen of the Senate:

I nominate, for your advice and consent, Samuel P. Chambers to be Major of 134th Regiment, 20th Brigade.

John H. Riddle, Major of 78th Regiment, 13th Brigade.

David F. Winchester, Major of the Fayette Legion.

WM. OWSLEY.

Resolved, That the Senate advise and consent to the said appointments.

A message was received from the House of Representatives, announcing that they had disagreed to a bill from the Senate, entitled, an act for the benefit of Thomas Rankin, Jailer of Harrison county.

That they had passed bills from the Senate of the following titles, viz:

An act for the benefit of Major and Elizabeth Ann Weatherspoon, of Allen county.

An act to incorporate the Bardstown and Salt River slack water Navigation Company.

An act to incorporate the Frankfort and Lawrenceburg Turnpike Road Company.

An act to amend the act to enlarge the town of Stanford.

An act appropriating the dividends on the turnpike road leading from Elizabethtown to the Tennessee line to the completion of said road.

An act to amend the charter of the Glasgow and Scottsville Turnpike Road Company.

An act for the benefit of Henry Stemmons and wife, and others.

With amendments to the three bills last named, which amendments were concurred in.

That they had adopted a resolution for printing the Second Auditor's report.

That they had passed a bill, entitled, an act to incorporate the Kinnick Railroad and Mill company.

The said bill was read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The resolution for printing the Second Auditor's report was taken up,

And the question being taken on concurring in the said resolution, it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Heady and Hawkins, were as follows, to-wit:

Those who voted in the affirmative, were—

Mr. Speaker, (Patterson),	Hawkins,	Speed Smith,
Messrs. Boyd,	Helm,	Taylor,
Driffin,	Hobbs,	Todd,
Grey,	McMillan,	Wall—14.
Hambleton,	Russell,	

Those who voted in the negative, were—

Messrs. Bradley,	Hardin,	Walker,
Brien,	Heady,	White,
English,	Thomas,	Williams—9.

And then the Senate adjourned.

TUESDAY, FEBRUARY 29, 1848.

A message was received from the House of Representatives, announcing that they had passed bills from the Senate, of the following titles, to-wit:

An act to incorporate a company to construct a turnpike road from Frankfort to Lexington on the Cole's road.

An act to incorporate a turnpike road from Washington to Murphysville, in Mason county.

An act to provide for the improvement of the road from Munday's landing to Harrodsburg.

An act to incorporate the Hamilton and New Lancaster Turnpike Road Company, in Boone county, and Hodgenville Turnpike Road Company.

An act to incorporate the Flemingsburg and Mount Carmel Turnpike Road Company.

An act to incorporate a company to turnpike a road from Mount Eden to Shelbyville.

An act to incorporate the Danville and Kentucky River Railroad Company.

An act authorizing the Owen County Court to change so much of the State road leading from New Liberty to Cincinnati as runs through the lands of Howard Early.

An act appropriating six hundred dollars to improve the navigation of the South fork of the Kentucky river at or near the Narrows.

An act to appropriate the dividends of the Bardstown and Louisville, and the Bardstown and Green River Turnpike Roads, to the completion of the road between Bardstown and Glasgow.

An act to incorporate the Clark's Run and Salt River Turnpike Road Company.

An act to amend the charter of the Turnpike Road Company between Bell's Tavern and Bowlinggreen.

With amendments to the four bills last named.

That they had passed bills of the following titles, to-wit:

An act to incorporate the Helena Turnpike Road Company, the Maysville and Lewis county turnpike company, and Sardis turnpike company.

An act to incorporate the Mountsterling, Winchester, Owingsville and Jefferson Turnpike Road Companies.

An act for the benefit of John A. Moore.

An act for the benefit of the Louisville and Elizabethtown Turnpike Road Company.

An act to incorporate the New Market and Bardstown Turnpike Company.

An act for the extension of the Madison and Wilderness Turnpike Road.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A message was received from the House of Representatives, by Mr. Barlow, announcing that they had adopted a resolution fixing a day for the final adjournment of the General Assembly.

The said resolution was taken up, twice read and concurred in.

Mr. Swope, from the select committee, to whom was referred a bill from the House of Representatives, entitled, an act to amend the law regulating

the administration and settlement of decedent's estates, reported the same with the opinion of the committee that it ought not to pass.

The question being taken on reading the said bill a third time, and it was decided in the negative, and so the said bill was disagreed to.

Resolved, That the Senate concur in the amendments proposed by the House of Representatives, to bills from the Senate, of the following titles, to-wit:

An act to incorporate the Clark's Run and Salt River Turnpike Road Company.

An act to amend the charter of the Turnpike Road Company between Bell's Tavern and Bowlinggreen.

A bill from the Senate, entitled, an act appropriating six hundred dollars to improve the navigation of the South Fork of the Kentucky river, at or near the Narrows, as amended by the House of Representatives, was taken up.

The question being taken on concurring in said amendment, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Heady and Bradley, were as follows, to-wit:

Those who voted in the affirmative, were—

Mr. Speaker, (Patterson,)	Russell,	Todd,
Messrs. Grey,	Speed Smith,	Walker,
Hawkins,	Swope,	Wall,
Helm,	Taylor,	White—13.
Hobbs,		

Those who voted in the negative, were—

Messrs. Boyd,	Draffin,	Heady,
Bradley,	English,	McNary,
Brien,	Hardin,	Thomas—9.

A bill from the Senate, entitled, an act to appropriate the dividends of the Bardstown and Louisville, and the Bardstown and Green river turnpike roads, to the completion of the road between Bardstown and Glasgow, as amended by the House of Representatives, was taken up.

The question was taken on concurring in said amendment, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Heady and Bradley, were as follows, to-wit:

Those who voted in the affirmative, were—

Mr. Speaker, (Patterson,)	Helm,	Taylor,
Messrs. Draffin,	Hobbs,	Thornton,
Evans,	McMillan,	Todd,
Fox,	Russell,	Walker,
Grey,	Speed Smith,	White—16.
Hawkins,		

Those who voted in the negative, were—

Messrs. Boyd,	English,	Swope,
Bradley,	Hardin,	Thomas,
Bramlette,	Heady,	Wall—11.
Brien,	McNary,	

Two messages, in writing, were received from the Governor, by Mr. Mitchell, Assistant Secretary of State.

The rule of the Senate being dispensed with, the said messages were taken up, and read as follows, to-wit:

Gentlemen of the Senate:

I nominate for your advice and consent, Charles D. Ward to be Notary Public of Muhlenburg county. WM. OWSLEY.

Gentlemen of the Senate:

I nominate for your advice and consent, Benjamin W. Farland to be Lieut. Colonel of 99th Regiment, 10th Brigade.

Edward T. Halsey to be Colonel; John Tupman, Lieut. Colonel, and Geo. W. Condiff, Major of 130th Regiment, 10th Brigade.

Marcellus Baugh to be Colonel; Anderson Holmes, Lieut. Colonel, and Shiveral N. Satterfield, Major of 52d Regiment, 10th Brigade.

WM. OWSLEY.

Resolved, That the Senate advise and consent to the said appointments.

On the motion of Mr. Hardin, the votes by which a bill from the House of Representatives, entitled, an act to incorporate the Helena Turnpike Road Company, the Maysville and Lewis County Turnpike Company, and Sardis Turnpike Company, was passed and ordered to be read a third time, were reconsidered.

The said bill was amended.

Ordered, That said bill be read a third time, as amended.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bill, as amended, do pass, and that the title thereof be as aforesaid.

Mr. J. Speed Smith having obtained leave, reported a bill for the benefit of the Sheriff, Jailer and certain guards, in the county of Garrard, which bill was read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bill being dispensed, and the same being engrossed,

The question being taken on the passage of said bill, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Wall and J. Speed Smith, were as follows, to-wit:

Those who voted in the affirmative, were—

Mr. Speaker, (Patterson,)	Helm,	Thornton,
Messrs. Boyd,	Hobbs,	Todd,
Bramlette,	Russell,	Walker,
Grey,	Speed Smith,	White—14.
Hawkins,	Swope,	

Those who voted in the negative, were—

Messrs. Bradley,
Brien,
Draffin,
English,

Evans,
Hardin,
Heady,
McMillan,

McNary,
Thomas,
Wall,
Williams—12.

Resolved, That the title of said bill be as aforesaid.

Mr. Swope, from the committee on Privileges and Elections, reported a bill supplemental to the act concerning the election of Electors, passed at the present session, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Leave was given to bring in the following bills, to-wit :

On the motion of Mr. White—1. A bill to provide for making a road from Birch Lick creek, in Madison county, to Brashear's Salt Works, in Perry county.

On the motion of same—2. A bill to extend the navigation of the North Fork of Kentucky river.

Messrs. White, Walker and J. Speed Smith were appointed a committee to prepare and bring in the 1st, and Messrs. White, Walker and Todd the 2d.

Mr. Bradley, from the joint committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, to-wit :

An act to amend the charter of the Frankfort and Louisville Railroad Company.

An act for the relief of the widow and children of the late William R. McKee, deceased.

An act to incorporate the Danville and Kentucky River Railroad Company.

An act appropriating the dividends on the turnpike road leading from Elizabethtown to the Tennessee line to the completion of said road.

An act for the benefit of Henry Stemmons and his wife, and others.

An act to incorporate a company to construct a turnpike road from Frankfort to Lexington on the Cole's road.

An act to provide for a change of venue in the prosecution against Francis M. Ewing.

An act concerning guardians.

An act for the benefit of Sarah Jane Acuff, of Calloway county, and others.

An act for the benefit of Maria Graves, of Boone county.

An act to fix the ratio and apportion the representation in the Senate and House of Representatives, for the ensuing four years.

An act to amend an act to enlarge the town of Stanford.

An act for the benefit of Major and Elizabeth Ann Weatherspoon, of Allen county.

An act to provide for the improvement of the road from Munday's Landing to Harrodsburg.

An act to amend the charter of the Glasgow and Scottsville Turnpike Road Company.

An act to incorporate the Frankfort and Lawrenceburg Turnpike Road Company.

An act to incorporate the Flemingsburg and Mount Carmel Turnpike Road Company.

An act to incorporate the Bardstown and Salt river Slackwater Navigation Company.

And enrolled bills which originated in the House of Representatives, of the following titles, to-wit:

An act to establish two additional election precincts in Knox county.

An act to provide for running the dividing line between Bracken and Pendleton.

An act to amend an act entitled, an act to construct a road from Rochester, at the mouth of Muddy river, in Butler county, to Russellville, in Logan county.

An act to change the place of voting in an election precinct in the county of Henderson.

An act to divorce Elizabeth A. King, and others.

An act for the benefit of Julia A. Williams, and Catharine Lemaster.

An act to divorce William W. Hinds, and others.

An act to divorce William W. and Nancy Milliken.

An act for the benefit of David Snowden, former Sheriff of Owsley county, and for other purposes.

An act allowing additional Justices of the Peace and Constables to certain counties.

An act for the benefit of Common Schools in the town of Portland, and for other purposes.

An act for the benefit of William Mullen, of Wayne county, and others.

An act to allow an additional Justice of the Peace to Barren county, and for other purposes.

An act to amend the charter of the city of Covington and town of Feliciana.

An act for the benefit of the Surveyor of Scott county, and for other purposes.

An act to change the name of James Riley Hammon, and for other purposes.

An act to change a part of the State road leading from Bowlinggreen to Greenville.

An act for the benefit of George Johnson, late Sheriff of Union county, and for other purposes.

And had found the same truly enrolled.

The said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approbation and signature. After a short time Mr. Bradley reported that the committee had performed that duty.

The following bills were reported from select committees, to-wit:

By Mr. White—A bill to provide for making a road from Birch Lick creek, in Madison county, to Brashear's Salt Works, in Perry county.

By same—A bill to extend the navigation of the North Fork of the Kentucky river.

Which bills were each read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bill being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A message was received from the House of Representatives announcing that they had disagreed to a bill from the Senate, entitled, an act for the benefit of the Judge of the 13th Judicial District, and for other purposes.

That they had passed bills from the Senate of the following titles, to-wit:

An act to incorporate the New Orleans and Ohio Telegraph Company, and the People's Telegraph Company.

An act to incorporate the Muddy river, Elkton, Trenton and Tennessee State line Turnpike Road Company.

An act to incorporate the Greysville and Russellville Turnpike Road Company, and for other purposes.

An act to incorporate the town of Greenupsburg and to legalize a late survey made of said town.

An act to enlarge the boundaries of the town of Somerset.

An act to authorize suit to be brought by the county of Marshall against the county of Calloway.

An act for the benefit of the Sheriff of Harrison county.

An act fixing the time of holding the May and November terms of the Christian County Court.

An act to put a part of the State road, leading from Princeton to Centerville, under the control of the Caldwell County Court.

- An act to amend the charter of the town of Paducah.
- An act to include William B. Carlisle in the county of Green.
- An act granting a change of venue to William Burns.
- An act for the benefit of James Pratt, of Union county.
- An act to incorporate the Elizabethtown Female Academy.
- An act for the benefit of the Superintendent of Public Instruction.
- An act to amend the charter of the Bourbon county Agricultural Society.
- An act to amend an act, entitled, an act to incorporate the Shepherdsville Iron Manufacturing Company, approved February 9, 1847.
- An act for the benefit of the widow and heirs of H. B. Webb, deceased.
- An act to amend an act to incorporate the Georgetown and Paris Turnpike Road Company, approved March 1, 1837.
- An act for the benefit of James M. Anderson.
- An act to amend the laws concerning the town of Frankfort.
- An act for the benefit of Spottswood Wills.
- An act in reference to the vacant and seminary lands and common schools in Wayne county.
- An act authorizing the appointment of a Police Judge for the town of Richmond.
- An act to incorporate a company to construct a turnpike road from Cynthiana, in Harrison county, to Newtown, in Scott county, and for other purposes.
- An act to amend the road law of Jefferson county.
- An act authorizing the trustees of the town of Frankfort and the Franklin County Court, to subscribe for stock in certain companies.
- With amendments to the three bills last named, which amendments were concurred in.
- That they had passed bills of the following titles, to-wit:
- An act for the appropriation of money.
- An act to divorce sundry persons, and for other purposes.
- An act authorizing the construction of a turnpike road from the town of Oregon, on the Kentucky river, to the Louisville and Crab Orchard road.
- An act to amend an act, entitled, an act for the benefit of the Lexington, Harrodsburg and Perryville Turnpike Company, approved February 23, 1847.
- An act to incorporate the Ealeabanda Society of the Kentucky Military Institute.
- An act in addition to the act for the benefit of Robert Williams, approved March 1, 1847.
- An act to incorporate the Hickman Manufacturing Company under the general law.

An act to incorporate the Sanhedrim of Kentucky of the Hunters of Nimrod.

On the motion of Mr. Russell,

Resolved, That the Public Printers print and forward to each Senator, 100 copies of the titles of the acts, passed at the present session, with a synopsis of each act.

On the motion of Mr. Evans, leave was given to bring in a bill for the benefit of Common Schools in the counties of Whitley, Laurel and Rockcastle, and Messrs. Evans, Hobbs and Hawkins were appointed a committee to prepare and bring in the same.

After a short time, Mr. Evans reported the said bill, which was read the first time and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Draffin, on leave, reported a bill to divorce John Hathaway, of Franklin county, which was read the first time and ordered to be read a second time.

The constitutional rule as to the second reading of said bill being dispensed with, the said bill was, on motion of Mr. Grey, ordered to be engrossed and read a third time.

The constitutional rule as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage thereof, and it was decided in the negative, and so the said bill was rejected.

The yeas and nays being required thereon by Messrs. Taylor and Brien, were as follows, to-wit:

Those who voted in the affirmative, were—

Mr. Speaker, (Patterson)	Grey,	Thomas,
Messrs. Draffin,	Hawkins,	White,
English,	Heady,	Williams—11.
Evans,	Russell,	

Those who voted in the negative, were—

Messrs. Boyd,	McMillan,	Taylor,
Bramlette,	McNary,	Thornton,
Brien,	Speed Smith,	Todd,
Hardin,	Swope,	Walker—13.
Hobbs,		

On the motion of Mr. J. Speed Smith, the vote rejecting said bill, was reconsidered.

The vote by which it was ordered to be engrossed and read a third time, was also reconsidered.

The amendment moved by Mr. Grey, was withdrawn.

Ordered, That said bill be engrossed and read a third time.

The constitutional rule as to the third reading of the said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A bill from the House of Representatives, entitled, an act for the appropriation of money, was read the first time and ordered to be read a second time.

The constitutional rule as to the second reading being dispensed with, Mr. Evans moved to strike out the 37th item in said bill.

The question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Williams and Evans, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Brien,	Grey,	Taylor,
Draffin,	Hardin,	Todd,
English,	McMillan,	Williams—11.
Evans,	McNary,	

Those who voted in the negative, were—

Mr. Speaker, (Patterson,)	Heady,	Thomas,
Messrs. Bramlette,	Hobbs,	Thornton,
Fox,	Russell,	Walker,
Hawkins,	Swope,	White—12.

The said bill was amended, and ordered to be read a third time.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bill, as amended, do pass, and that the title thereof be as aforesaid.

Mr. Hawkins, from the joint committee on the Public Offices, made the following report, viz:

The joint committee on Public Offices have discharged the duties assigned them, and take great pleasure in stating that the same are in good order and condition, and, as far as they are advised, would suggest that no change, whatever, should be made in the management of the same.

J. R. HAWKINS, *Ch'm. S. Com.*
JNO. W. RUSSELL.

Leave of absence was granted to Mr. Hardin and Mr. Evans after 10 o'clock to-morrow.

A bill from the House of Representatives, entitled, an act to divorce sundry persons, was read the first time and ordered to be read a second time.

The constitutional rule as to the second reading being dispensed with,

Ordered, That said bill be read a third time.

Mr. Bradley moved to dispense with the rule requiring the bill to be read a third time.

The question being taken thereon, it was decided in the negative, there not being four-fifths in the affirmative.

The yeas and nays being required thereon by Messrs. Hobbs and Bradley, were as follows, to-wit:

Those who voted in the affirmative, were—

Mr. Speaker, (Patterson,)	Evans,	Speed Smith,
Messrs. Bradley,	Grey,	Thornton,
Bramlette,	Hawkins,	Todd,
Brien,	Heady,	Wall,
Draffin,	Helm,	White—17.
English,	Russell,	

Those who voted in the negative, were—

Messrs. Boyd,	McMillan,	Taylor,
Hardin,	McNary,	Thomas,
Hobbs,	Swope,	Walker—9.

Mr. Bradley moved that the said bill have its third reading on to-morrow, at 8 o'clock.

The question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Taylor and Bradley, were as follows, to-wit:

Those who voted in the affirmative, were—

Mr. Speaker, (Patterson,)	Evans,	Russell,
Messrs. Bradley,	Grey,	Speed Smith,
Bramlette,	Hawkins,	Thomas,
Brien,	Heady,	Thornton,
Draffin,	Helm,	Wall—16.
English,		

Those who voted in the negative, were—

Messrs. Boyd,	McNary,	Todd,
Hardin,	Swope,	Walker,
Hobbs,	Taylor,	White—10.
McMillan,		

A message was received from the House of Representatives, by Mr. Towles, announcing that they had adopted a preamble and resolutions in relation to the Tobacco trade.

The said preamble and resolutions were twice read and concurred in.

Bills from the House of Representatives, of the following titles, were severally read the first time, to-wit:

An act authorizing the construction of a turnpike road from the town of Oregon, on the Kentucky river, to the Louisville and Crab Orchard road.

An act to amend an act, entitled, an act for the benefit of the Lexington, Harrodsburg and Perryville Turnpike Company, approved February 23, 1847.

An act to incorporate the Ealeabanda Society of the Kentucky Military Institute.

An act to incorporate the Hickman Manufacturing Company under the general law.

An act to incorporate the Sanhedrim of Kentucky of the Hunters of Nimrod.

Ordered, That said bills be read a second time.

The constitutional rule as to the second and third readings of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A bill from the House of Representatives, entitled, an act in addition to the act for the benefit of Robert Williams, approved March 1, 1847,

Was read the first time as follows, viz :

WHEREAS, by an act for the benefit of Robert Williams, approved March 1, 1847, it was made "the duty of the Board of Internal Improvement, or a majority of the members thereof, to inquire into and *ascertain* the damages occasioned and sustained by said Williams, on account of temporary suspensions of his works by the State, and report the amount thereof, if any, to the next General Assembly;" and said Board having failed to perform the duties required by said act, therefore, that full justice may be done in the premises,

SEC. 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That Philip Swigert, John T. Pratt, Landon A. Thomas and Lysander Hord, be and they are hereby appointed commissioners, and authorized to perform the duties, in the act aforesaid, prescribed to the Board of Internal Improvement; and shall, or a majority of them, meet at the town of Frankfort at such time, within the present year, as they may appoint, and proceed to examine such witnesses, under oath, as may be introduced by said Williams, touching his claim; and said commissioners shall have power to summon witnesses before them, and hear and receive testimony in as full and ample a manner as courts of law now have; and, moreover, shall have power to propound written interrogatories to said Robert Williams, relative to the suspensions aforesaid, and require written answers thereto, under oath.

SEC. 2. That if said commissioners, after a full investigation of the claim of said Williams, shall be of opinion that he has sustained damages, by reason of the temporary suspensions of his work upon Lock and Dam No. 3, on Licking river, then they shall make out a report of the amount of damages, so sustained, and which, in good faith, the State ought to pay him; and shall make report of their proceedings to the next General Assembly.

Ordered, That said bill be read a second time.

The constitutional rule as to the second reading being dispensed with,

The question being taken on reading the said bill a third time, and it was decided in the negative, and so the said bill was disagreed to.

The yeas and nays being required thereon by Messrs. Bradley and Swope, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Brien,	Russell,	Thomas,
Draffin,	Slaughter,	Wall,
Hawkins,	Swope,	Williams—10.
Hobbs,		

Those who voted in the negative, were—

Mr. Speaker, (Patterson),	Grey,	Speed Smith,
Messrs. Boyd,	Hardin,	Taylor,
Bradley,	Heady,	Thornton,
English,	McMillan,	Todd,
Evans,	McNary,	White—15.

Mr. Bradley, from the joint committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives of the following titles, to-wit:

An act to change the State road from Hopkinsville to Gray's ferry.

An act to divorce Jesse Key.

An act concerning the Common School System.

An act to amend the law regulating the taxation of costs in appeal cases.

An act for the benefit of D. S. Goodloe & Co.

An act for the benefit of John W. Hazlerigg.

An act to allow special terms of the Cumberland, Floyd and Pendleton Circuit Courts, and for other purposes.

An act concerning the election of Electors.

An act to provide for the sale of Island No. 4, in the Mississippi river.

And enrolled bills which originated in the Senate of the following titles, to-wit:

An act appropriating six hundred dollars to improve the navigation of the South Fork of the Kentucky river at or near the Narrows.

An act to appropriate the dividends of the Bardstown and Louisville, and the Bardstown and Green river turnpike roads, to the completion of the road between Bardstown and Glasgow.

An act to divorce Elizabeth Morgan, of Trimble county, and George W. Aydelott, of Hickman county, and Mary Chrisman.

An act authorizing the Owen County Court to change so much of the State road leading from New Liberty to Cincinnati as runs through the lands of Howard Early.

An act to amend the charter of the Turnpike Road Company between Bell's Tavern and Bowlinggreen.

An act to incorporate the town of Greenupsburg and to legalize a late survey made of said town.

An act to incorporate the Muddy river, Elkton, Trenton and Tennessee State line Turnpike Road Company.

An act granting a change of venue to William Burns.

An act to include William B. Carlisle in the county of Green.

An act to authorize suit to be brought by the county of Marshall against the county of Calloway.

An act to enlarge the boundaries of the town of Somerset.

An act to put a part of the State road, leading from Princeton to Centreville, under the control of the Caldwell County Court.

An act to amend the charter of the town of Paducah.

An act for the benefit of the Sheriff of Harrison county.

An act fixing the time of holding the May and November terms of the Christian County Court.

An act to incorporate the Hamilton and New Lancaster Turnpike Road Company, in Boone county, and Hodgenville Turnpike Road Company.

An act to incorporate a company to turnpike a road from Mount Eden to Shelbyville.

An act to incorporate the Clark's Run and Salt River Turnpike Road Company.

And had found the same truly enrolled.

The said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approbation and signature. After a short time Mr. Bradley reported that the committee had performed that duty.

Mr. J. Speed Smith reported a bill to authorize an exchange of Executive Documents, which was read the first time and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. English moved the following resolution, which was adopted, to-wit:

Resolved by the Senate, That His Excellency, the Governor of this Commonwealth, be and he is hereby requested to cause to be fired, on the 15th day of March next, at sunrise, thirty rounds of cannon in honor of the birth day of Gen. Andrew Jackson; and that this firing be done with the cannon recently presented to the Commonwealth by the gallant Maj. Geo. A. Caldwell.

Mr. Fox read and laid on the table the following joint resolution, to-wit:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Governor of Kentucky shall cause to be fired, on the hill above

Frankfort, on the birth day of Henry Clay, thirty rounds of cannon in honor thereof, and shall cause to be fired, on the birth day of Major General Zachary Taylor, thirty rounds of cannon in honor thereof, and in commemoration of his services.

The rule of the Senate being dispensed with, the said resolution was taken up.

The question being taken on the adoption thereof, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Evans and Draffin, were as follows, to-wit:

Those who voted in the affirmative, were—

Mr. Speaker, (Patterson,)	Hawkins,	Taylor,
Messrs. Bradley,	Heady,	Thornton,
Draffin,	Helm,	Todd,
English,	Hobbs,	Walker,
Fox,	McMillan,	Wall—17.
Grey,	Russell,	

Those who voted in the negative, were—

Messrs. Boyd,	Evans,	McNary,
Brien,	Hardin,	Williams—6.

A message was received from the House of Representatives, announcing that they had concurred in the amendments proposed by the Senate, to bills from that House of the following titles, to-wit:

An act for the appropriation of money.

An act for the benefit of the Sheriff of Ballard county.

That they had concurred in resolutions and preamble and resolutions from the Senate of the following titles, to-wit:

Resolutions concerning the Mobile and Ohio Railroad Company.

Resolutions in relation to the two cannon presented to the State of Kentucky, by Maj. George A. Caldwell and Col. John S. Williams.

Resolutions complimentary to the Encarnacion prisoners, and others.

A resolution authorizing the publication of the address of the Rev. R. J. Breckinridge, on Education.

Preamble and resolutions relative to the late Col. Thomas Dollerhide.

That they had disagreed to a bill from the Senate, entitled, an act for the benefit of James S. Halbert, of Lewis county.

That they had passed bills from the Senate of the following titles, viz:

An act for the benefit of Uriah Pierce and Betsey, his wife.

An act to incorporate the Flemingsburg and Elizaville Turnpike Road Company.

An act for the benefit of George F. Hatcher.

An act for the benefit of the Trustees of School District, No. 7, in Anderson county.

- An act for the benefit of Richard D. Neal, of Warren county.
- An act declaring Big Blaine Creek, in Lawrence county, navigable.
- An act to increase the width of a road leading from Florence to Anderson's Ferry, in Boone county.
- An act to incorporate the Hodgenville Male and Female Seminary, and for other purposes.
- An act to amend an act for the benefit of A. M., Clifford N., Henry B., and Sidney T. Fountaine, approved March 1, 1847.
- An act to incorporate the Graves Mill Turnpike Road Company.
- An act for the benefit of Ebenezer Church, in Lewis county.
- An act to amend the charter of the town of Newport.
- An act supplemental to an act to extend the jurisdiction of the Police Judge of the town of Hopkinsville, approved February 18, 1848.
- An act for the benefit of Thomas Gardner, of Bourbon county.
- An act for the benefit of Burnley D. Smith, of Todd county.
- An act to establish an additional election precinct in Pendleton and Harlan counties.
- An act to change the place of voting in the Stephensburg precinct, in Hardin county.
- An act to establish an election precinct at Trenton, in Todd county.
- An act for the benefit of the Clerks of the Daviess and McCracken Circuit and County Courts.
- An act to amend the road law of Campbell county.
- An act supplemental to the act concerning the election of Electors, passed at the present session.
- An act for the benefit of the children and heirs at law of Louisa Dennington, deceased.
- An act to incorporate the town of Jamestown, in Campbell county.
- An act to extend the navigation of the North Fork of the Kentucky river.
- An act to incorporate a turnpike road from Versailles to Nicholasville.
- An act for the benefit of Jacob Corbett, of Ballard county.
- An act to repeal the law reducing the price of vacant lands in Clay county.
- An act to provide for making a road from Birch Lick Creek, in Madison county, to Brashear's Salt Works, in Perry county.
- An act for the benefit of James McConnell.
- An act for the benefit of William Hackley and Clarissa, his wife, and her children.
- An act for the benefit of the Sheriff, Jailer and certain Guards in the county of Garrard.
- An act for the benefit of Common Schools in the counties of Whitley, Laurel and Rockcastle.

An act to authorize an exchange of Executive Documents.

An act to divorce John Hathaway, of Franklin county.

An act for the benefit of the town of Winchester.

An act to authorize a survey of Salt river, and the Rolling and Beech Forks.

An act for the benefit of Aquilla Beecraft and Nancy L., his wife.

An act to incorporate the town of Bridgeport in Franklin county.

An act for the benefit of Isham G. Hamilton, and for other purposes.

An act for the benefit of the Lunatic Asylum at Lexington.

An act to amend the several acts concerning the Newport Seminary, and for other purposes.

An act authorizing certain County Courts to appoint commissioners of tax at the December term, and prescribing the further duties of commissioners of tax.

With amendments to the three bills last named.

That they had adopted a resolution for the purchase of Collins' History of Kentucky, for the use of the Library.

The said resolution was taken up, twice read and concurred in.

Resolved, That the Senate concur in the amendments proposed by the House of Representatives, to bills from the Senate, of the following titles, to-wit:

An act to amend the several acts concerning the Newport Seminary, and for other purposes.

An act authorizing certain County Courts to appoint commissioners of tax at the December term, and prescribing the further duties of the commissioners of tax.

Resolved, That the Senate disagree to the first and concur in the second amendment proposed by the House, to a bill from the Senate, entitled, an act for the benefit of the Lunatic Asylum at Lexington.

A bill from the House of Representatives, entitled, an act to abolish the original jurisdiction of the Appellate Court in cases of ferries and mills, was taken up.

The vote ordering said bill to a third reading was reconsidered.

The Senate resolved itself into a committee of the whole House, on said bill, Mr. Walker in the Chair. After some time spent in committee, the Speaker resumed the Chair, when Mr. Walker reported that the committee of the whole had had the said bill under consideration, and had made an amendment thereto, which he was directed to report to the Senate.

The said amendment was concurred in.

The said bill was further amended.

Ordered, That said bill be read a third time, as amended.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bill, as amended, do pass, and that the title thereof be as aforesaid.

Mr. Swope moved the following resolution, viz:

Resolved, That the thanks of the Senate are due, and hereby tendered to the Hon. Archibald Dixon, for the able, dignified and impartial manner with which he has discharged the duties of his office as Lieutenant Governor and Speaker of the Senate. He has returned to the bosom of his family with the kind regard and good wishes of every Senator.

The said resolution was unanimously adopted.

Mr. Helm being in the chair, Mr. Swope moved the following resolution, to-wit:

Resolved, That the thanks of the Senate are due, and are hereby tendered to the Hon. Robert A. Patterson, Speaker *pro tem.* of the Senate, for the able, dignified, prompt and impartial manner with which he has discharged the duties of the Chair.

The said resolution was unanimously adopted.

Mr. English moved the following resolution, to-wit:

Resolved, That the thanks of the Senate are hereby tendered to J. D. McClure, Sergeant-at-Arms, and Benjamin Selby, Doorkeeper of the Senate, for their prompt and vigilant attention to the members, as well as a faithful discharge of the duties of their respective offices.

The said resolution was unanimously adopted.

Mr. English moved the following resolution, to-wit:

Resolved, That the thanks of the Senate are hereby tendered to A. G. Rhea, for his ability and impartiality in reporting the proceedings of the Senate.

The said resolution was unanimously adopted.

Mr. Hobbs moved the following resolution, to-wit:

Resolved, That the thanks of the Senate are due and tendered to Theodore Kohlbas and T. D. Tilford for the efficient and accommodating manner in which they have discharged their several duties as Clerk and Assistant Clerk.

The said resolution was unanimously adopted.

Mr. Boyd moved the following resolution, to-wit:

Resolved, That the thanks of the Senate are due, and hereby tendered to the several Ministers of the Gospel who have, during the present session, opened the Senate with prayer.

The said resolution was unanimously adopted.

And then the Senate adjourned.

WEDNESDAY, MARCH 1, 1848.

Mr. Helm having obtained leave, reported a bill relative to the Docket of the Franklin Circuit Court, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bill being dispensed, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A bill from the House of Representatives, entitled, an act to divorce sundry persons, was read a third time.

The question being taken on the passage thereof, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Taylor and Bradley, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Bradley,	English,	Helm,
Bramlette,	Evans,	Russell,
Brien,	Hawkins,	Thomas,
Draffin,	Heady,	Williams—12.

Those who voted in the negative, were—

Mr. Speaker, (Patterson,)	McMillan,	Todd,
Messrs. Boyd,	Speed Smith,	Walker,
Grey,	Taylor,	Wall—10.
Hobbs,		

Resolved, That the title of said bill be as aforesaid.

A message was received from the House of Representatives, announcing that they had concurred in the amendments proposed by the Senate, to a bill from that House, entitled, an act to abolish the original jurisdiction of the Appellate Court in cases of ferries and mills.

That they insist on their first amendment to a bill from the Senate, entitled, an act for the benefit of the Lunatic Asylum, at Lexington.

That they had passed a bill from the Senate, entitled, an act relative to the Docket of the Franklin Circuit Court.

Resolved, That the Senate insist on their disagreement to the first amendment proposed by the House of Representatives, to a bill from the Senate, entitled, an act for the benefit of the Lunatic Asylum at Lexington.

Messrs. Todd, McMillan and Grey were appointed a committee of conference on the part of the Senate, on the disagreement of the two Houses, to the amendment proposed by the House of Representatives to said bill.

Ordered, That Mr. Todd inform the House of Representatives thereof.

After some time Mr. Todd reported that the committee of conference had agreed that the Senate should recede from their disagreement to said amendment.

The said report was concurred in.

After some time a message was received from the House of Representatives, announcing that they had concurred in said report.

Mr. Bradley, from the joint committee on Enrollments, reported that the committee had examined enrolled bills and enrolled resolutions which originated in the House of Representatives, of the following titles, to-wit:

An act to establish a State road from Morganfield, through Smithland, to Paducah.

An act for the benefit of John A. Moore.

An act for the benefit of the Louisville and Elizabethtown Turnpike Road Company.

An act to incorporate the Helena Turnpike Road Company, the Maysville and Lewis county turnpike company, and Sardis turnpike company.

An act to incorporate the Kinnicanick Railroad and Mill Company.

An act to amend an act, entitled, an act for the benefit of the Lexington, Harrodsburg and Perryville Turnpike Company.

An act to incorporate the Sanhedrim of Kentucky of the Hunters of Nimrod.

An act for the appropriation of money.

An act authorizing the construction of a turnpike road from the town of Oregon, on the Kentucky river, to the Louisville and Crab Orchard road.

An act for the extension of the Madison and Wilderness Turnpike Road.

An act to divorce Helen Plasters.

An act for the benefit of the Sheriff of Ballard county.

An act to incorporate the New Market and Bardstown Turnpike Company.

An act to incorporate the Mountsterling, Winchester, Owingsville and Jeffersonville Turnpike Road Companies.

An act to incorporate the Hickman Manufacturing Company under the general law.

An act to divorce sundry persons, and for other purposes.

An act to abolish the original jurisdiction of the Appellate Court in cases of Ferries and Mills.

Preamble and resolutions in relation to the Tobacco trade.

Resolution for printing the Second Auditor's report.

Resolution for the purchase of Collins' History of Kentucky.

And enrolled preamble and resolutions and enrolled bills, which originated in the Senate, of the following titles, to-wit:

Preamble and resolutions relative to the late Col. Thomas Dollerhide.

A resolution authorizing the publication of the address of the Rev. R. J. Breckinridge, on Education.

Resolutions complimentary to the Encarnacion prisoners, and others.

Resolutions concerning the Mobile and Ohio Railroad Company.

Resolutions in relation to the two cannon presented to the State of Kentucky, by Maj. George A. Caldwell and Col. John S. Williams.

An act to incorporate a turnpike road from Washington to Murphysville, in Mason county.

An act for the benefit of James Pratt, of Union county.

An act to amend an act, entitled, an act to incorporate the Shepherds-ville Iron Manufacturing Company, approved February 9, 1847.

An act to incorporate the Elizabethtown Female Academy.

An act to amend the charter of the Bourbon county Agricultural Society.

An act for the benefit of the Superintendent of Public Instruction.

An act to incorporate the Greysville and Russellville Turnpike Road Company, and for other purposes.

An act for the benefit of Spottswood Wills.

An act authorizing the appointment of a Police Judge for the town of Richmond.

An act to incorporate the New Orleans and Ohio Telegraph Company, and the People's Telegraph Company.

An act authorizing the trustees of the town of Frankfort and the Franklin County Court, to subscribe for stock in certain companies.

An act for the benefit of Uriah Pierce and Betsey, his wife.

An act for the benefit of George F. Hatcher.

An act for the benefit of Richard D. Neal, of Warren county.

An act for the benefit of the Trustees of School District, No. 7, in Anderson county.

An act to change the place of voting in the Stephensburg precinct, in Hardin county.

An act for the benefit of Ebenezer Church, in Lewis county.

An act for the benefit of James McConnell.

An act for the benefit of Aquilla Beecraft and Nancy L., his wife.

An act to amend the several acts concerning the Newport Seminary, and for other purposes.

An act to amend the road law of Campbell county.

An act for the benefit of William Hackley and Clarissa, his wife, and her children.

An act to incorporate the Flemingsburg and Elizaville Turnpike Road Company.

An act to amend the laws concerning the town of Frankfort.

An act for the benefit of James M. Anderson.

An act to incorporate the Louisville and Taylorsville Turnpike Road Company.

An act in reference to the vacant and seminary lands and common schools in Wayne county.

An act for the benefit of the widow and heirs of H. B. Webb, deceased.

An act to authorize a survey of Salt river, and the Rolling and Beech Forks.

An act for the benefit of Isham G. Hamilton, and for other purposes.

An act to divorce John Hathaway, of Franklin county.

An act for the benefit of Thomas Gardner, of Bourbon county.

An act for the benefit of Burnley D. Smith, of Todd county.

An act to establish an election precinct at Trenton, in Todd county.

An act to increase the width of a road leading from Florence to Anderson's Ferry, in Boone county.

An act declaring Big Blaine Creek, in Lawrence county, navigable.

An act to amend an act for the benefit of A. M., Clifford N., Henry B., and Sidney T. Fountaine, approved March 1, 1847.

An act to provide for making a road from Birch Lick Creek, in Madison county, to Brashear's Salt Works, in Perry county.

An act for the benefit of Common Schools in the counties of Whitley, Laurel and Rockcastle.

An act for the benefit of the Sheriff, Jailer and certain Guards in the county of Garrard.

An act for the benefit of the town of Winchester.

An act authorizing certain County Courts to appoint commissioners of tax at the December term, and prescribing the further duties of commissioners of tax.

An act to amend an act to incorporate the Georgetown and Paris Turnpike Road Company, approved March 1, 1847.

An act to incorporate a company to construct a turnpike road from Cynthiana, in Harrison county, to Newtown, in Scott county, and for other purposes.

An act to extend the navigation of the North Fork of the Kentucky river.

An act for the benefit of the Clerks of the Daviess and McCracken Circuit and County Courts.

An act to repeal the law reducing the price of vacant lands in Clay county.

An act for the benefit of Jacob Corbett, of Ballard county.

An act to authorize an exchange of Executive Documents.

An act supplemental to the act concerning the election of Electors, passed at the present session.

An act for the benefit of the children and heirs at law of Louisa Dennington, deceased.

An act to incorporate the town of Jamestown, in Campbell county.

An act to incorporate the Hodgenville Male and Female Seminary, and for other purposes.

An act to incorporate the Graves Mill Turnpike Road Company.

An act to incorporate the town of Bridgeport in Franklin county.

An act for the benefit of the Lunatic Asylum at Lexington.

An act to establish an additional election precinct in Pendleton and Harlan counties.

An act supplemental to an act to extend the jurisdiction of the Police Judge of the town of Hopkinsville, approved February 18, 1848.

An act to amend the charter of the town of Newport.

An act to incorporate a turnpike road from Versailles to Nicholasville.

An act relative to the Docket of the Franklin Circuit Court.

An act to amend the road law of Jefferson county.

And had found the same truly enrolled.

The said bills and resolutions having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approbation and signature. After a short time Mr. Bradley reported that the committee had performed that duty.

A message, in writing, was received from the Governor, by Mr. Reed, Secretary of State.

The rule of the Senate being dispensed with, the said message was taken up and read as follows, to-wit:

Gentlemen of the Senate:

I nominate for your advice and consent, Curtis Field, Jr., to be Police Judge of Richmond.

WM. OWSLEY.

Resolved, That the Senate advise and consent to the said appointment.

A message was received from the House of Representatives, by Messrs. Towles, Elliott and Bowling, announcing that they had finished the Legislative business before them, and are now ready to adjourn.

A message was sent to the House of Representatives, by Mr. Helm, to inform them that the Senate having finished their legislative business are now ready to adjourn, and that they had appointed a committee of Messrs. Helm, Todd and Bradley, on their part, to wait on the Governor and inform him of the intended adjournment, and to know if he has any further communication to make.

The committee on the part of the Senate retired, and after a short time returned, when Mr. Helm reported that the joint committee had performed

the duty assigned them, and received from his Excellency for reply—that he desired to avail himself of the few minutes, when he would return to each House the bills laid on his table; he requested the kind remembrance of the Senate, and begged to take of them a kind adieu, hoping that they would soon have the good fortune to return to the bosom of their families and mingle with their constituents, and expressing his hope that the labors of the Legislature would confer lasting benefits on the country.

A message was received from the Governor, by Mr. Reed, Secretary of State, announcing that the Governor had approved and signed enrolled bills and resolutions, which originated in the Senate, of the following titles, viz:

An act for the benefit of the heirs of James B. Blair, deceased.

An act for the benefit of James Sudduth.

An act for the benefit of the infant heirs of Augustus F. Jacob, of Caldwell county.

An act supplementary to an act incorporating the Paris, Winchester and Kentucky River Turnpike Road Company, and the North Middletown Turnpike Road Company, and for other purposes.

An act to amend an act, entitled, an act to establish the town of Cornishville, approved February 23, 1847, and for other purposes.

An act to incorporate the Logan Manufacturing Company.

An act to amend an act for the benefit of Ann L. Clements, approved February 3, 1847.

An act for the benefit of the heirs of Philip Baker.

An act to amend an act, entitled, an act to establish the town of Petersburg, in Boone county, approved January 9, 1839.

An act to amend the act incorporating the town of Greensburg.

Approved February 25, 1848.

An act for the benefit of Isaac Bush.

An act to facilitate the construction of the Electric Telegraph.

An act to incorporate the Grand Division of Sons of Temperance of the State of Kentucky.

An act for the benefit of the Clerks of the Simpson and Clarke County Courts.

An act to provide for a change of venue in the prosecution against William Peyton.

An act to charter the Second Baptist Church of Louisville.

An act for the benefit of the children of James Holland, of Caldwell county.

An act to provide for a change of venue in the prosecution against Asa Sisk.

An act to authorize the Green County Court to sell the old Clerk's office of Green county.

An act to revive and amend the charter of the Shepherdsville and Louisville Turnpike Road Company.

An act to extend the limits of the town of Hamilton, in Boone county.

An act for the benefit of Catharine Montgomery, of Washington county, and John H. Butler, of Hickman county.

An act for the benefit of James Calhoun, and John Hill and wife.

An act to allow additional terms to the Harrison and Estill Circuit Courts, and to change the time of holding the chancery term of the Nicholas Circuit Court.

An act to incorporate the Rough and Ready Turnpike Road Company, in Boone county.

An act to authorize the Mobile and Ohio Railroad Company to extend their Railroad from the south boundary line of the State of Kentucky, to the Mississippi or Ohio rivers.

An act to amend the penal laws.

Approved February 26, 1848.

An act to divorce Isabella Snelling, and for other purposes.

An act to divorce William R. Ennis from his former wife, and for other purposes.

An act to repeal the 13th and 14th sections of an act, entitled, an act to amend the road law in the county of Trimble, approved January 18, 1848.

An act to incorporate the Lexington and Frankfort Railroad Company.

Approved February 28, 1848.

An act to provide for a change of venue in the prosecution against Francis M. Ewing.

An act concerning guardians.

An act to amend the charter of the Frankfort and Louisville Railroad Company.

An act for the relief of the widow and children of the late William R. McKee, deceased.

An act to incorporate the Danville and Kentucky River Railroad Company.

An act to incorporate a company to construct a turnpike road from Frankfort to Lexington on the Cole's road.

An act for the benefit of Sarah Jane Acuff, of Calloway county, and others.

An act for the benefit of Maria Graves, of Boone county.

An act to provide for the improvement of the road from Munday's Landing to Harrodsburg.

An act to amend an act to enlarge the town of Stanford.

An act for the benefit of Major and Elizabeth Ann Weatherspoon, of Allen county.

An act to amend the charter of the Glasgow and Scottsville Turnpike Road Company.

An act to incorporate the Frankfort and Lawrenceburg Turnpike Road Company.

An act to incorporate the Bardstown and Salt river Slackwater Navigation Company.

An act to incorporate the Flemingsburg and Mount Carmel Turnpike Road Company.

An act appropriating the dividends on the turnpike road leading from Elizabethtown to the Tennessee line to the completion of said road.

An act for the benefit of Henry Stemmons and his wife, and others.

An act to fix the ratio and apportion the representation in the Senate and House of Representatives, for the ensuing four years.

An act to amend the charter of the Turnpike Road Company between Bell's Tavern and Bowlinggreen.

An act appropriating six hundred dollars to improve the navigation of the South fork of the Kentucky river at or near the Narrows.

An act to divorce Elizabeth Morgan, of Trimble county, and George W. Aydelott, of Hickman county, and Mary Chrisman.

An act to appropriate the dividends of the Bardstown and Louisville, and the Bardstown and Green River Turnpike Roads, to the completion of the road between Bardstown and Glasgow.

An act to incorporate the Muddy river, Elkton, Trenton and Tennessee State line Turnpike Road Company.

An act authorizing the Owen County Court to change so much of the State road leading from New Liberty to Cincinnati as runs through the lands of Howard Early.

An act to incorporate the town of Greenupsburg and to legalize a late survey made of said town.

An act to enlarge the boundaries of the town of Somerset.

An act to authorize suit to be brought by the county of Marshall against the county of Calloway.

An act to include William B. Carlisle in the county of Green.

An act granting a change of venue to William Burns.

An act to put a part of the State road, leading from Princeton to Centerville, under the control of the Caldwell County Court.

An act to amend the charter of the town of Paducah.

An act to incorporate a company to turnpike a road from Mount Eden to Shelbyville.

An act for the benefit of the Sheriff of Harrison county.

An act fixing the time of holding the May and November terms of the Christian County Court.

An act to incorporate the Clark's Run and Salt River Turnpike Road Company.

An act to incorporate the Hamilton and New Lancaster Turnpike Road Company, in Boone county, and Hodgenville Turnpike Road Company.

Approved February 29, 1848.

An act to incorporate a turnpike road from Washington to Murphysville, in Mason county.

An act to incorporate the Elizabethtown Female Academy.

An act to incorporate the Greysville and Russellville Turnpike Road Company, and for other purposes.

An act to amend the charter of the Bourbon county Agricultural Society.

An act for the benefit of the Superintendent of Public Instruction.

An act for the benefit of Spottswood Wills.

An act authorizing the appointment of a Police Judge for the town of Richmond.

An act to amend an act, entitled, an act to incorporate the Shepherdsville Iron Manufacturing Company, approved February 9, 1847.

An act for the benefit of James Pratt, of Union county.

An act for the benefit of Common Schools in the counties of Whitley, Laurel and Rockcastle.

An act to provide for making a road from Birch Lick Creek, in Madison county, to Brashear's Salt Works, in Perry county.

An act authorizing the trustees of the town of Frankfort and the Franklin County Court, to subscribe for stock in certain companies.

An act for the benefit of Uriah Pierce and Betsey, his wife.

An act for the benefit of George F. Hatcher.

An act for the benefit of Richard D. Neal, of Warren county.

An act for the benefit of the Trustees of School District, No. 7, in Anderson county.

An act for the benefit of the Clerks of the Daviess and McCracken Circuit and County Courts.

An act to extend the navigation of the North Fork of the Kentucky river.

An act to incorporate the town of Bridgeport in Franklin county.

An act to incorporate the Graves Mill Turnpike Road Company.

An act to repeal the law reducing the price of vacant lands in Clay county.

An act for the benefit of Jacob Corbett, of Ballard county.

An act to incorporate the Hodgenville Male and Female Seminary, and for other purposes.

An act for the benefit of the children and heirs at law of Louisa Dennington, deceased.

An act to incorporate the town of Jamestown, in Campbell county.

- An act to authorize an exchange of Executive Documents.
- An act supplemental to the act concerning the election of Electors, passed at the present session.
- An act to increase the width of a road leading from Florence to Anderson's Ferry, in Boone county.
- An act declaring Big Blaine Creek, in Lawrence county, navigable.
- An act to amend an act for the benefit of A. M., Clifford N., Henry B., and Sidney T. Fountaine, approved March 1, 1847.
- An act for the benefit of Ebenezer Church, in Lewis county.
- An act to change the place of voting in the Stephensburg precinct, in Hardin county.
- An act for the benefit of Aquilla Beecraft and Nancy L., his wife.
- An act for the benefit of James McConnell.
- An act to incorporate the New Orleans and Ohio Telegraph Company, and the People's Telegraph Company.
- An act to amend the several acts concerning the Newport Seminary, and for other purposes.
- An act to amend the road law of Campbell county.
- An act in reference to the vacant and seminary lands and common schools in Wayne county.
- An act for the benefit of the widow and heirs of H. B. Webb, deceased.
- An act for the benefit of William Hackley and Clarissa, his wife, and her children.
- An act to incorporate the Flemingsburg and Elizaville Turnpike Road Company.
- An act authorizing certain County Courts to appoint commissioners of tax at the December term, and prescribing the further duties of commissioners of tax.
- An act to amend an act to incorporate the Georgetown and Paris Turnpike Road Company, approved March 1, 1847.
- An act to incorporate a company to construct a turnpike road from Cynthiana, in Harrison county, to Newtown, in Scott county, and for other purposes.
- An act for the benefit of the Sheriff, Jailer and certain Guards in the county of Garrard.
- An act to establish an election precinct at Trenton, in Todd county.
- An act for the benefit of the town of Winchester.
- An act to amend the laws concerning the town of Frankfort.
- An act for the benefit of James M. Anderson.
- An act to incorporate the Louisville and Taylorsville Turnpike Road Company.
- An act to divorce John Hathaway, of Franklin county.

An act to authorize a survey of Salt river, and the Rolling and Beech Forks.

An act for the benefit of Isham G. Hamilton, and for other purposes.

An act for the benefit of Thomas Gardner, of Bourbon county.

An act for the benefit of Burnley D. Smith, of Todd county.

An act for the benefit of the Lunatic Asylum at Lexington.

An act supplemental to an act to extend the jurisdiction of the Police Judge of the town of Hopkinsville, approved February 18, 1848.

An act to establish an additional election precincts in Pendleton and Harlan counties.

An act to amend the charter of the town of Newport.

An act to amend the road law of Jefferson county.

An act to incorporate a turnpike road from Versailles to Nicholasville.

An act relative to the Docket of the Franklin Circuit Court.

Approved March 1, 1848.

Preamble and resolutions relative to the late Col. Thomas Dollerhide.

Resolutions in relation to the two cannon presented to the State of Kentucky, by Maj. George A. Caldwell and Col. John S. Williams.

Resolutions complimentary to the Encarnacion prisoners, and others.

Resolutions concerning the Mobile and Ohio Railroad Company.

A resolution authorizing the publication of the address of the Rev. R. J. Breckinridge, on Education.

Approved March 1, 1848.

A message was received from the House of Representatives, announcing that they had received official information that the Governor had approved and signed enrolled bills and resolutions, which originated in that House, of the following titles, viz:

An act to legalize the proceedings of the Ohio County Court, at their January term, 1848, and for other purposes.

An act for the benefit of Davenport Jones, of Christian county.

An act to incorporate the Chestnut Street Presbyterian Church of Louisville.

An act to amend an act, entitled, an act for the benefit of Nancy Pointer, approved February 25, 1847.

An act to legalize the election of the Trustees of the town of Owensboro'.

An act to incorporate the Springfield, Perryville, and Danville Turnpike Road Company.

An act to incorporate the Paris and Cynthiana Turnpike Road Company.

An act to incorporate the Paris and Combs' Ferry Turnpike Road Company.

An act to allow additional Constables to Logan, Washington, Fleming and Pendleton counties.

An act concerning conveyances.

An act to incorporate the German Roman Catholic Benefit Society of Covington.

An act to incorporate the Paris, Winchester and Kentucky River Turnpike Road Company, and the North Middletown Turnpike Road Company, and for other purposes.

An act to divorce Mary Perkins.

An act for the benefit of Price Snyder, of Simpson county.

An act authorizing the County Court of Mason county to sell and convey certain public property in said county, and for other purposes.

An act to incorporate a Fire Company in the town of Winchester.

An act for the benefit of Garnett A. Dowell.

An act to change a part of the State road in Kenton county.

An act relating to the road tax in Germantown, and for other purposes.

An act for the benefit of the Board of Internal Improvement.

An act to repeal the law in relation to private passways in the county of Mercer, and for other purposes.

An act to change the time of holding the Oldham Circuit Court.

An act for the benefit of Jesse Day, of Morgan county.

An act changing the time of holding the Estill County Court.

An act to exempt keepers of public ferries, in Morgan county, from working roads.

An act to incorporate the Great Crossings and Stamping Ground Turnpike Road Company.

An act to amend an act, entitled, an act to incorporate the Lexington Gas Company.

An act to incorporate the Odd Fellows' Hall, of Newport, Kentucky.

An act for the benefit of James Dewit, Benjamin Riddle and Isaac Chenowith.

An act to erect a monument to those who have fallen in the defence of their country.

An act to change the time of holding the Christian Circuit and County Courts, and for other purposes.

An act to legalize the proceedings of the Graves County Court.

Approved February 25, 1848.

An act fixing the rates of toll on the Wilderness Turnpike Road.

An act to change the name of Henry Moore Henry, to that of Francis Gray Henry.

An act to amend the road law in the county of Knox.

An act for the benefit of William P. Woolley.

An act authorizing the erection of an additional toll gate on the Versailles and Anderson Turnpike Road.

An act for the benefit of the Morgan County Court.

An act for the benefit of the Methodist Church in Madison county.

An act for the benefit of Ophelia Holloway, and Andrew, her son.

An act to incorporate the Crittenden Mining Company.

An act to amend the act requiring the several County Courts to procure a set of weights and measures, approved February 1, 1839.

An act to incorporate a Turnpike Company from Versailles to Midway.

An act to amend the Trustee law of the town of London.

An act to establish the office of Police Judge of the town of New Liberty, in Owen county, and regulating the duties thereof.

An act to divorce William Humphreys, of Hickman county.

An act allowing an additional Constable to Wayne county, and for other purposes.

An act directing a change of venue in the prosecution against John Lamb.

An act for the benefit of Nathaniel D. Burks and Magdalen Burks.

An act to incorporate the town of Monticello.

An act to amend the road law in the county of Clarke, and for other purposes.

An act for the benefit of the mechanics of the town of Newport.

An act to legalize the acts of William Teal, Constable of Owen county.

An act for the benefit of Ann H. Cundiff, of Clay county.

An act to enlarge the limits of the town of Cadiz.

An act for the benefit of Elijah Hansbrough, of Hardin county.

An act to amend the law concerning forfeited recognizances and bail bonds.

An act to incorporate the Spencer county and Louisville Turnpike Road Company, and for other purposes.

An act for the benefit of William H. Curtis, of Monroe county.

An act for the benefit of Juliann Dickson Thomasson.

An act for the benefit of M. C. Hughes, Surveyor of Owsley county.

Approved February 26, 1848.

An act further regulating the docketing of causes in the Court of Appeals.

An act to increase the compensation of Grand Jurors.

An act to incorporate the Harrod's Creek Academy, in Oldham county.

An act for the benefit of Thomas Phipps, late Sheriff of Ohio county.

An act for the benefit of Joel Sweeney.

An act for the benefit of the Sheriff of Laurel county.

An act to enlarge the powers of the Trustees of the town of Mount Washington, in Bullitt county.

An act to divorce Mary E. Crane.

An act to divorce Julia G. and Nicholas M. Taylor.

An act to divorce Jack Henderson.

An act to divorce John C. Wolf.

An act to divorce Volney and Rachael Bedford.

An act to abolish certain precincts in Daviess county, and to establish an election precinct in the town of Calhoun.

An act for the benefit of John H. Parish, Surveyor of Madison county.

An act to establish a Police Court in the town of Mt. Vernon.

An act for the benefit of Martha Jane Webb and Mary Jane Newland.

An act to incorporate the Philomathean Society of the Kentucky Military Institute.

An act for the benefit of Frederick Gosney.

An act for the benefit of N. E. Wright.

An act for the benefit of the town of Bloomfield.

An act to amend the act relating to the town of Georgetown.

An act concerning the Banks of Kentucky.

An act for the benefit of William B. Smith, of Warren county, and Wm. S. Green, of Hart county.

An act for the benefit of the administrator of Charles Carter, deceased.

An act to revive and amend an act to incorporate the Augusta, Cynthiana and Georgetown Turnpike Company.

An act to provide for the location and erection of the Second Kentucky Lunatic Asylum.

An act to divorce Joel Jones, and others.

An act for the benefit of the Carroll County Court.

An act to establish additional election precincts in certain counties, and for certain purposes.

An act for the benefit of the administrator and heirs of the estate of Benjamin Lancaster, deceased.

An act to amend an act to incorporate the Firemen's Insurance Company of Lexington, approved February 26, 1847.

An act to authorize the Court of Appeals of the 49th Regiment of Kentucky Militia to hear appeals in certain cases.

An act for the benefit of George W. Boyd, Drury W. Taylor and Isham J. Jones.

An act to incorporate the Christian Church, of Mount Eden, in Spencer county.

An act to increase the revenue.

An act for the benefit of John Judy.

An act for the benefit of John Swansey's heirs, of Crittenden county.

An act to incorporate the West Louisville Cemetery Company.

An act to divorce William Grady.

An act to divorce John L. Jackson.

An act to allow an additional Justice of the Peace to Pulaski county.

An act for the benefit of John Rose and Elijah Chambers, of Morgan county.

An act for the benefit of the infant children of William Carpenter, deceased, late of Mason county.

An act for the benefit of the town of Newport, in Campbell county.

An act allowing additional Justices of the Peace and Constables to certain counties.

An act to change the venue in the prosecution against John A. Claywell.

An act to amend an act, entitled, an act to amend in part and repeal in part the act establishing a road from London to the mouth of Big Laurel river, approved January 30, 1847.

An act for the benefit of the Kentucky Institution for the education of the Blind.

An act to establish the town of Buena Vista, in Russell county.

An act for the benefit of Ira H. and William George.

An act to provide for running and marking the dividing lines between the counties of Russell, Casey and Pulaski.

An act for the benefit of the Cumberland County Court.

Approved February 28, 1848.

Preamble and resolutions relative to Mr. Asa Whitney's plan for a Railroad from Lake Michigan to the Pacific Ocean.

Resolutions in relation to the boundary between the States of Ohio, Indiana, Illinois and Kentucky.

Approved February 28, 1848.

An act to change a part of the State road leading from Bowlinggreen to Greenville.

An act to amend the charter of the city of Covington and town of Feliciana.

An act for the benefit of George Johnson, late Sheriff of Union county, and for other purposes.

An act for the benefit of Common Schools in the town of Portland, and for other purposes.

An act to amend an act, entitled, an act to construct a road from Rochester, at the mouth of Muddy river, in Butler county, to Russellville, in Logan county.

An act providing for running the dividing line between Bracken and Pendleton.

An act to divorce William W. Hinds, and others.

An act for the benefit of the Surveyor of Scott county, and for other purposes.

An act to allow an additional Justice of the Peace to Barren county, and for other purposes.

An act for the benefit of David Snowden, former Sheriff of Owsley county, and for other purposes.

An act to change the place of voting in an election precinct in the county of Henderson, and for other purposes.

An act to establish two additional election precincts in Knox county, and for other purposes.

An act for the benefit of William Mullen, of Wayne county, and others.

An act allowing additional Justices of the Peace and Constables to certain counties.

An act to divorce William W., and Nancy Millikin.

An act to change the name of James Riley Hammons, and for other purposes.

An act to allow special terms of the Cumberland, Floyd and Pendleton Circuit Courts, and for other purposes.

An act for the benefit of John W. Hazlerigg.

An act to divorce Elizabeth A. King, and others.

An act for the benefit of Julia A. Williams, and Catharine Lemaster.

An act for the benefit of D. S. Goodloe & Co.

An act to amend the law regulating the taxation of costs in appeal cases.

An act to provide for the sale of Island No. 4, in the Mississippi river.

An act concerning the election of Electors.

An act to divorce Jesse Key.

An act to change the State road from Hopkinsville to Gray's ferry.

An act concerning the Common School System.

Approved February 29, 1848.

An act for the benefit of the Louisville and Elizabethtown Turnpike Road Company.

An act for the benefit of John A. Moore.

An act to establish a State road from Morganfield, through Smithland, to Paducah.

An act for the appropriation of money.

An act authorizing the construction of a turnpike road from the town of Oregon, on the Kentucky river, to the Louisville and Crab Orchard road.

An act for the extension of the Madison and Wilderness Turnpike Road.

An act to divorce Helen Plasters.

An act for the benefit of the Sheriff of Ballard county.

An act to incorporate the Hickman Manufacturing Company under the general law.

An act to incorporate the Ealeabanda Society of the Kentucky Military Institute.

An act to abolish the original jurisdiction of the Appellate Court in cases of Ferries and Mills.

An act to incorporate the Mountsterling, Winchester, Owingsville and Jeffersonville Turnpike Road Companies.

An act to incorporate the New Market and Bardstown Turnpike Company.

An act to incorporate the Kinnicanick Railroad and Mill Company.

An act to divorce sundry persons, and for other purposes.

An act to incorporate the Helena Turnpike Road Company, the Maysville and Lewis county turnpike company, and Sardis turnpike company.

An act to amend an act, entitled, an act for the benefit of the Lexington, Harrodsburg and Perryville Turnpike Company, approved Feb. 23, 1847.

An act to incorporate the Sanhedrim of Kentucky of the Hunters of Nimrod.

Approved March 1, 1848.

Preamble and resolutions in relation to the Tobacco trade.

Resolution for the purchase of Collins' History of Kentucky.

Resolution for printing the Second Auditor's report.

Approved March 1, 1848.

The Speaker *pro tem.* having delivered a suitable address, adjourned the Senate without day.

APPENDIX.

TRIAL OF JOHN A. DUFF, SURVEYOR OF PERRY COUNTY—CONTINUED.

IN SENATE, *January 10, 1848.*

A message was received from the House of Representatives, by Mr. Jas. Speed, announcing that they had appointed Managers to conduct the impeachment pending before the Senate, against John A. Duff, Surveyor of Perry county.

On the motion of Mr. J. Speed Smith,

Resolved, That the Public Printer print, forthwith, 150 copies of the articles of impeachment against John A. Duff; and, also, of the response of said Duff to the articles preferred against him, for the use of the Senate.

TUESDAY, *January 11, 1848.*

HIGH COURT OF IMPEACHMENT.

Commonwealth of Kentucky vs. John A Duff, Surveyor of Perry county.

The Court having been opened by proclamation,

The oath prescribed was administered by John D. McClure, one of the Commonwealth's Justices of the Peace, to the following Senators, to-wit: Messrs. English, Fox, Grey, Hambleton, Hobbs, McMillan and Young.

Mr. White was excused from serving as a member of the Court.

On the motion of Mr. Patterson,

Ordered, That a message be sent to the House of Representatives to inform them that the Senate is now ready to proceed on the trial of the impeachment of John A. Duff, Surveyor of Perry county; and Mr. Patterson was directed to carry said message, who, after a short time, reported that he had performed that duty.

The response of said John A. Duff, which was filed with the Assistant Clerk of the Senate, on the 27th of October, 1847, is ordered to be noted of record.

The Managers on the part of the House of Representatives, viz: Messrs. Towles, Speed and Moore, appeared, and proper seats were assigned them.

John A. Duff, the respondent, accompanied by Mr. Harlan, his counsel, also attended, and seats were assigned them.

On motion, Henry C. Harris was admitted to a seat on the floor of the Senate as one of the counsel for the respondent, John A. Duff.

On the motion of Mr. Towles,

Ordered, That the order heretofore entered of record in this case, admitting Messrs. Ballinger and Caldwell as assistant counsel, to aid the Managers in this prosecution, be rescinded and set aside.

Mr. Harris, counsel for said Duff, moved the Court to stay further proceedings in this case until the prosecutor should give sufficient security for the costs, and filed an affidavit, which was sworn to in open Court, by said Duff, in support of said motion, and which is as follows, to-wit:

COMMONWEALTH OF KENTUCKY,

vs.

JOHN A. DUFF.

} Before the Senate, sitting as a High
} Court of Impeachment.

The said John A. Duff states, that John J. Godsey, the prosecutor in this case, is not a responsible man for costs, and that he has abandoned this prosecution; he verily believes that, after the payment of his debts, said Godsey is, as affiant verily believes, worth nothing. He therefore moves the Court that further proceedings herein be stayed until sufficient security is given for costs.

J. A. DUFF.

Sworn to in open Court by John A. Duff, this 11th January, 1848.

Att: T. KOHLHASS, C. S.

The parties being heard on said affidavit and motion,

Ordered, That said motion be overruled.

The witnesses summoned in behalf of the Commonwealth, were then called at the bar by the Sergeant-at-Arms.

A letter was read from Able Pennington, one of the witnesses summoned on behalf of the Commonwealth, stating his inability to attend the Court by reason of indisposition.

Mr. Speed, on behalf of the Managers, then moved the Court for a continuance of the case, to some subsequent day of the present session.

Pending which motion, the Court adjourned until 12 o'clock to-morrow.

WEDNESDAY, January 12, 1848.

HIGH COURT OF IMPEACHMENT.

The Commonwealth of Kentucky against John A. Duff.

The Court having been opened by proclamation,

On the motion of Mr. Crenshaw, a message was sent to the House of Representatives, informing them that the Senate is now ready to proceed on the trial of the impeachment of John A. Duff.

The Managers attended.

John A. Duff, the respondent, and his counsel, also attended.

The Managers produced in Court the affidavit of Elijah Combs, in support of the motion made by them on yesterday, for the continuance of this case to some subsequent day of the present session, which affidavit was sworn to by said Combs, and is as follows, to-wit:

Commonwealth of Kentucky vs. John A. Duff—Sct:

Elijah Combs being sworn in open Court, deposeth and saith, that Solomon Everidge, James Brashears, Jesse Combs and Jeremiah C. Combs are personally known to him, and that he has conversed with them in relation to their knowledge of the high crimes and misdemeanors with which the respondent stands charged; and that he fully believes that the said persons are necessary and material witnesses on behalf of the Commonwealth in the prosecution of the said cause, and that they, by their testimony, will establish the truth of the said articles of impeachment, or some one or more of them, particularly articles 7th and 2d, besides conducing to prove many of the other articles; and further this affiant sayeth not.

Sworn to in open Court, and filed, 12th January, 1848.

The counsel for the respondent, moved the Court to allow them to cross examine the affiant, Elijah Combs, on the motion of continuance, which motion was overruled, the parties being heard on said motion for a continuance.

It is the opinion of the Court that the cause be continued.

On the motion of Mr. Helm,

Resolved, That upon the trial of John A. Duff, the Managers or counsel for the accused, may, upon any question arising from the decision of the Court, have the right to ascertain the vote of each member of the Court, by calling for the vote of each member by name.

Mr. Harlan, counsel for respondent Duff, moved the Court to reconsider the opinion ordering the cause to be continued, and the question being put, will the Court reconsider said opinion? it was decided in the negative—Yeas—6. Nays 21.

Those who voted in the affirmative, were—

Messrs. Crenshaw,
Evans,

Hawkins,
Heady,

Thomas,
Thurman—6.

Those who voted in the negative, were—

Messrs. Boyd,	Hobbs,	Swope,
Bradley,	Holloway,	Taylor,
Bramlette,	James,	Todd,
Brien,	Marshall,	Walker,
Hambleton,	McMillan,	Wall,
Hardin,	McNary,	Williams,
Helm,	Patterson,	Young—21.

It is ordered by the Court that this cause be continued until Friday, the 11th day of February next, at the cost of John J. Godsey, the prosecutor, who is to pay the respondent his costs occasioned by reason of this continuance.

On the motion of the Managers,

Ordered, That an attachment issue against Solomon Everidge, James Brashears, William Lusk, Jeremiah Combs, Samuel Smith, Malinda Meredy, William Collinsworth, Patrick Napier, Stephen Napier, Micajah Napier, James Williams, Samuel Campbell, William Campbell, William Campbell, James Johnson, Isaac Spencer and Jesse Combs, witnesses summoned on behalf of the Commonwealth, who have failed to appear, although called, returnable to Friday the 11th day of February next; and the Sergeant-at-arms of the Senate, upon executing said attachment, is directed to admit the said persons to bail for their personal appearance in Court, on said day, in the penalty of \$50 each, with good security.

Elijah Combs, Sen., came personally into Court, and acknowledged himself indebted to the Commonwealth of Kentucky in the sum of fifty dollars, of his goods and chattles, lands and tenements, to be levied, and to the use of said Commonwealth rendered; yet to be void upon the condition that the said Elijah Combs, Sen., shall personally appear before the Senate of Kentucky, sitting as a High Court of Impeachment, on Friday the 11th day of February next, to testify, and the truth to say, in behalf of the Commonwealth of Kentucky, in an impeachment pending before the Senate of Kentucky, sitting as a High Court of Impeachment, in which the House of Representatives have impeached John A. Duff, Surveyor of Perry county, for high crimes and misdemeanors; and that he shall not depart thence without the leave of said Court.

On motion, the Court then adjourned until Friday, the 11th day of February next, at 12 o'clock.

FRIDAY, February 11, 1848.

HIGH COURT OF IMPEACHMENT.

Commonwealth of Kentucky vs. John A. Duff, Surveyor of Perry county.

The Court having been opened by proclamation,

On the motion of Mr. Patterson,

Ordered, That a message be sent to the House of Representatives to inform them that the Senate is now ready to proceed on the trial of the impeachment of John A. Duff, Surveyor of Perry county, and Mr. Patterson was directed to carry said message.

The Managers attended.

John A. Duff being called, attended, accompanied by his counsel, Mr. Harlan and Mr. Harris.

On the motion of Mr. Harlan, Daniel Breck, Jr. was admitted to a seat on the floor of the Senate, as assistant counsel for the respondent, John A. Duff.

The answer of said Duff to the articles of impeachment, was then read by the Clerk as follows, to-wit:

The said John A. Duff, saving to himself all exceptions whatsoever to the said several articles, and the charges therein contained, answers and says:

As to the *first article*, he says: he was duly appointed Surveyor of Perry county in the month of April, 1821, and executed bond and took the several oaths required by the then existing laws; and at the several periods thereafter, as required by law, he did execute bond as Surveyor, as aforesaid. He therefore says, that the allegations in said article, and each of them, in which he is charged with negligently failing to execute bonds in the years 1825, 1830, 1835, 1840 and 1845, and hath wholly failed to execute bond since the year 1831, are not true.

In answer to the *second article*, he says: he has never failed or refused to give to Elijah Combs, or to any citizen of Perry county, any information relative to the books and papers of his said office of Surveyor, when applied to for that purpose, at the place where he kept his said office. He, therefore, denies the allegations contained in said article, and the inferences deduced therefrom.

And this respondent further says, that the *Elijah Combs*, referred to in said article, was, at the time mentioned therein, and is now *wholly illiterate*, and incapable *then*, as he *now* is, of reading a single word, or of making any examination of manuscript or printed books.

In answer to the *third article*, respondent says: that several years since—the precise time he does not now remember—Stephen Campbell employed him to furnish a warrant, and survey for him 50 acres of land, to adjoin a larger tract then owned by him; and in strict pursuance to his engagement with said Stephen, he did make a survey of 50 acres of land adjoining said Stephen's land, and procured him a patent therefor. About two years afterwards, Samuel Campbell employed respondent to procure for him 50 acres of land on Campbell's creek, a branch of the north fork of the Kentucky river. Respondent furnished the warrant, surveyed the land, and re-

turned the plat and certificate to the Register's office, and on which a patent issued. Respondent says, he advanced the money for the warrants, made the surveys, and was at the trouble and expense of procuring the patents, for which he received the sums agreed upon.

The sums paid, embraced the fees allowed by law to the Surveyor, and was the subject of contract fairly made, and well understood by the parties at the time. Whether the whole amount paid by said Campbells to respondent was or not \$28 50, he does not now remember. He denies having *extorted* from said Campbells, or either of them, at that or at any other time, any money to which he was not legally, morally and justly entitled to receive from them. He believed then, as he now does, he had the lawful right to make contracts for the sale of land warrants, and procuring patents therefor. It was a business which required to be transacted at the Seat of Government, and the parties chose to employ him to perform the service and pay him therefor. He denies making any survey for either of said Campbells in the year 1840. Every allegation in said third article inconsistent with the statement here given, is unfounded in fact.

In answer to the *fourth article*, respondent says: that the charges therein contained, in the manner and form therein stated, are not true. He says, that previous to the year 1829, (but the precise time he does not remember,) he met Jeremiah Combs in the public road, and Combs requested him to make an entry for 50 acres in his (Combs') name, of vacant land on 15 mile fork of Lost creek, a branch of Troublesome creek, in Perry county, and Combs paid to respondent (as he thinks,) 12½ cents for the entry fee—and respondent made the proper entry in his book when he reached home. He denies that Combs ever requested him to survey the land thus entered. He denies having received the legal fees from said Combs for *entering and surveying* said 50 acres of land the 1st of August, 1839, or at any other time, except as herein stated. He denies the charge of fraud and violation of official duty, and every other allegation in said article, inconsistent with the foregoing statement. He says, that several years after Combs made said entry, one James Lewis entered 50 acres of land on Sixteen mile fork of said Lost creek, which respondent afterwards surveyed. Combs remarked to respondent, afterwards, that he had surveyed his (Combs') land to Lewis. Respondent answered him by informing him the entries were on *different forks* of Lost creek—Combs' on 15 mile fork, and Lewis' on 16 mile fork.

As to the *fifth article*, respondent answers: that Alexander Combs made an entry in respondent's office for — acres of vacant land in Perry county, which respondent afterwards surveyed. Some time thereafter, Henry Combs, with a full knowledge that Alexander Combs had made an entry for land, made an entry for — acres, which he (Henry,) supposed adjoined the entry theretofore made by said Alexander, and requested respondent forthwith to survey the same. Respondent, in pursuance to the request of said Henry, made the survey, and respondent ascertained then, for the *first time*, that the entries, to an inconsiderable extent, interfered. He denies that he fraudulently, and for the purpose of making fees, concealed any knowledge which he possessed of the entry and survey of Alexander Combs. Respondent's books were open to the inspection of said Henry, by which he could form his own opinion, at the time of making his entry, of the probability of interfering with other surveys. Respondent made no representation or statement to said Henry, which was untrue. Every charge, therefore, in said

fifth article, inconsistent with the foregoing statement, is expressly denied by this respondent.

As to the *sixth article*, respondent answers and says: that several years ago, the precise year he does not now remember, Larkin Collins applied to him to buy the warrants, make the surveys, and carry into grants, three fifty acre tracts of land, for all which Collins agreed to pay respondent \$30. The application was made to respondent at the court house of Perry county, fifteen miles from his residence, where he kept his books and papers. Respondent, after he reached home, made the entries, as requested by Collins; but, on a minute examination of his book of entries, he found that a portion of the land which Collins wished to appropriate, interfered in part with entries previously made by Wm. Stamper. Respondent made copies of both entries, and went on the land to make the surveys, in the presence of both Collins and Stamper. Respondent informed Collins that the entries interfered, and as Stamper had the eldest entry he would have the preference. Respondent then told Collins he would either cancel the contract he had made with him, or Collins might remove his entries on other lands; Collins preferred the latter course, and the entries were removed, surveys made, and patents issued to Collins accordingly.

Respondent made the surveys for Stamper agreeably to his entries, which were regularly carried into grants. Both Stamper and Collins were fully apprised of all the facts, and he has never heard that either of them expressed any dissatisfaction whatever as to the manner the business was transacted. The charge against the respondent for "selling his official acts to the highest bidder," is wholly false, as is every charge in said article, inconsistent with the foregoing statements.

In answer to the *seventh article*, respondent says: he admits he did, as Surveyor of Perry county, make a survey for James N. Brashears; but he denies that in performing said service, he acted in any manner otherwise than an honorable and just one. He says that whilst making said survey, Brashears wished him to include therein, some land which had been previously appropriated in the name of Jeremiah Combs; and of which fact Brashears was then fully apprised; but respondent refused to comply with Brashear's request; completed the survey, and delivered the certificate thereof to Brashears; and, upon which, he supposes a patent issued. He denies every other charge contained in said article not herein admitted, and which is inconsistent with this statement.

As to the *eighth*, respondent answers and says: that Malinda Louthers, *alias* Merdy, delivered to him a warrant, many years ago, for 100 acres of vacant land, with which she made several entries, all of which were withdrawn, and, finally, two entries of 50 acres each, were made. One of these entries was surveyed by respondent, and when she came to respondent's house, she requested him to attend to carrying her claim into grant; and for all the fees legally due to respondent, and for the trouble and expense of procuring a patent from the Register's office, she agreed to pay respondent ten dollars. Subsequently, respondent applied to the agent of Mrs. Merdy to go with respondent to survey the other 50 acres; but her agent refused, and for that cause and that only, the other 50 acres were not surveyed.

Upon the formation of Breathitt county—the land embraced in the entry being included in that county—the entry was withdrawn, and entered, as respondent supposes, in that county. It is not true, that said Malinda Merdy,

or any one else, tendered to him the legal fees, and repeatedly requested him to make the survey of the last 50 acres, and that he refused to do it; nor is it true, that he had any business transaction with said Malinda, or with any agent of her's in 1842, as charged in said article. Respondent was greatly annoyed by the very frequent visits which said *Malinda* made to his house, connected with her said land claims; and in charging her for his official and unofficial services, he did not suppose it would have been construed as improper, much less as evidence of official corruption. He, therefore, denies every allegation in said charge, which imputes to him any official misconduct whatever, or of extorting from a poor widow one cent which, under the circumstances, it was either improper, unjust, or uncharitable to receive.

In answer to the charges contained in article *9th*, the respondent says: that about ten years since, the precise time he cannot state without reference to his books, he made two surveys of 50 acres each, for James Williams. When Williams called upon respondent for the plats and certificates, he asked respondent for what sum he would procure the patents and deliver them to Williams. To which respondent replied: he would take the plats and certificates when he went to Frankfort, and deliver them to the Register without any compensation. But if respondent become *bound* to Williams to procure patents, and deliver them to him, he would charge five dollars for each patent. Williams chose the latter proposition. The service was performed, and the amount agreed upon was paid by Williams without murmur or complaint. Respondent denies he refused to let Williams have the plats and certificates, when Williams had an opportunity of sending them to the Register's office without charge, and thereby extorted from him the ten dollars aforesaid, as falsely charged in said *9th* article. The whole affair occurred as herein and above stated. In making the contract for his services in procuring said patents, respondent acted fairly, justly, and openly with said Williams. The contract was not in anywise connected with the duties of his office of Surveyor; and he did not, either directly or indirectly, exercise any official influence over Williams in making the contract. He denies having had any business transaction whatever with said James Williams relative to land, or any thing connected with land, at the date mentioned in said *9th* article.

In answer to the charges contained in article *tenth*, respondent says: that the allegation, that he "did on the 10th of June, 1844, in said county of Perry, corruptly fail and refuse to swear William Campbell, and others, as chain carriers, and to make several surveys," is wholly without foundation in fact. At a county court held for Perry county, at September term, 1843, that court, in the plenitude of its power, made an order declaring a vacancy in the office of Surveyor of Perry county, on the alleged ground, your respondent had *forfeited* the same. And, thereupon, said court nominated *Jackson Combs* to fill the vacancy thus created; and Combs was thereafter, and in the same year, commissioned by the Governor, and his official acts have been rendered legal by an act passed the 23d of February, 1847. This respondent has no recollection now, nor does he believe he made any official survey during the year 1844.

For answer to the charge contained in article *eleventh*, respondent says: he denies *extorting* money from Patrick B. Napier, as charged against him. Nor did he make any representations to said Napier which were untrue. He denies having any transaction whatever relating to land at the time

charged in said article. On one occasion, said Napier applied to respondent to purchase from him a fifty acre entry on a branch of Lost creek, which had been previously entered in the name of Henry Duff. Respondent informed Napier, he had made a promise to Micajah Napier, the brother of said Patrick, to procure the land for him (Micajah,) to which Patrick replied, his brother Micajah had sent him to respondent to procure the land embraced in said entry. And, thereupon, it was agreed between respondent and said P. B. Napier, that respondent would procure a complete legal title to said land for said P. B. Napier, for which he agreed to pay fifteen dollars within six months, and which might be discharged in cattle or hogs. Respondent denies having made any fraudulent representations to said Napier relative to said land, or of making any statement to him which he did not at the time believe to be true.

In answer to article *twelfth*, respondent says: the charge therein contained is a fabrication, without any foundation in fact. Respondent does not remember of any circumstance whatever which would give color to the charge.

For answer to the charge contained in article *thirteenth*, respondent says: the same is unfounded in fact. He denies having extorted from Rachel Everidge unjustly and illegally, any sum of money to which he was not legally, morally, and justly entitled. He denies having failed and refused to make out a plat and certificate for any survey made for her, or in her name.

To the charges in article *fourteenth*, respondent answers and says: he may have made a survey the 10th of November, 1843, for Patrick B. Napier for fifty acres of land, and failed to swear the chain carriers; and he may have certified on the plat and certificate, that the chain carriers had been sworn; but he denies that in any respect he acted from corrupt motives. He made several surveys on the same day the survey for Napier was made. And if he failed on any occasion to swear chain carriers, and certified they had been sworn, it was the result of oversight and inadvertence alone. In making the surveys referred to, his intention was to do his duty faithfully, and if he failed in any respect, the failure did not proceed from any improper motive.

And, in response to the charge contained in the *fifteenth* article, he says: the same as therein set forth, is false and unfounded in fact.

And respondent further says: that as regards each and every charge in the foregoing fifteen articles contained, he pleads to each, severally, not guilty. And this he prays may be inquired of by this Honorable Court in such manner as to them may seem proper and lawful.

And this respondent begs leave to state in explanation, the circumstances under which he was in the habit of dealing in land warrants, and furnishing those who wished to make appropriations of the vacant lands of the county. Before his appointment of Surveyor, and ever since, it was the practice and habit of all the Surveyors in the eastern part of the State, to purchase land warrants from the Register, furnish those who wished to appropriate vacant lands, and contract with them at the same time, to survey the land and obtain grants; and deliver them to the parties entitled to them, all at the cost and trouble of the Surveyors; for which a stipulated sum was to be paid by the party receiving the patent. Respondent was not aware until the institution of this proceeding against him, that it was either unlawful or improper for a Surveyor to make such contracts.

And respondent begs leave further to state, that he was very anxious to have met the charges preferred against him at the last session of the Gene-

ral Assembly, but the state of his health was such as utterly to preclude him from reaching Frankfort by the time fixed for the trial of his case. But he trusts that no unfavorable impression against him was made upon any member of the Court in consequence of his failing promptly to meet the charges preferred by his accusers.

This respondent has now laid before this Honorable Court, his answers to, and explanations of, the various charges preferred against him. With a consciousness that he has discharged all his official duties with justice and impartiality to the best of his knowledge and abilities—and that intentionally he has committed no crime or misdemeanor, or any violation of the laws of his country, he submits his case to the impartiality, independence and integrity of this Honorable Court.

If any part of his official conduct shall appear to have been illegal, or to have proceeded from *ignorance* of his duties, or from inadvertence, or oversight—or, if any part of his conduct shall appear, although illegal, to have been irregular or improper, but not to have flowed from a depravity of heart, or any unworthy motive, he feels confident that this Court will make allowance for the imperfections and frailties incident to man. He is satisfied that every member of this tribunal will observe the principles of humanity and justice; will presume him innocent until his guilt shall be established by competent proof; and will be governed in his decision by the moral and christian rule of rendering that justice to this respondent which he would wish to receive.

On the result of the issue now presented, rests the hopes and happiness of respondent, and of those to whom he has ever been desirous of transmitting a name unspotted and untarnished.

J. A. DUFF.

October 26th, 1847.

The replication of the Managers was then read as follows, to-wit:

Commonwealth of Kentucky—Sct:

HIGH COURT OF IMPEACHMENT.

Commonwealth of Ky. vs. John A Duff, Surveyor of Perry county, respondent.

The House of Representatives of the Commonwealth of Kentucky, having considered the answer and plea of John A. Duff, the respondent, Surveyor of Perry county, to the articles of impeachment against him, by them exhibited, in the name of themselves and all other people of the Commonwealth of Kentucky, reply—that the said John A. Duff is guilty in such manner as he stands impeached, and that the House of Representatives are ready to prove their charges against him at such time as the Court may determine.

THOMAS TOWLES, JR.,

JAMES SPEED,

WM. B. MOORE,

Managers on the part of the House of Representatives.

After which it was filed.

On the motion of counsel for respondent,

Ordered, That a *subpœna duces tecum* issue herein against the Clerk of the House of Representatives, requiring him to bring into Court the original affidavits upon which the articles of impeachment in this case are founded.

The Court then took a recess until 2 o'clock.

The Court met at 2 o'clock.

The Court then informed the Managers that they could now proceed to the proof of the articles of impeachment exhibited against the accused.

Jesse Combs, a witness on behalf of the Commonwealth, was sworn, and he was examined and cross examined.

The following interrogatory was put to the witness, by Mr. Harlan, one of the counsel for the respondent:

"Did you, between the years 1831 and 1843, ever hear a member of the County Court of Perry, or any private citizen of said county, suggest to the defendant anything about his neglecting to execute his bond between those periods?"

Which was objected to by the Managers.

On the question, "shall this interrogatory be put to the witness?" it was decided in the negative: Yeas—1. Nays—25.

In the affirmative—Mr. Swope.

Those who voted in the negative, were—

Messrs. Boyd,	Hambleton,	McMillan,
Bradley,	Hardin,	McNary,
Bramlette,	Hawkins,	Patterson,
Brien,	Helm,	Taylor,
Crenshaw,	Hobbs,	Thomas,
English,	Holloway,	Walker,
Evans,	James,	Wall,
Fox,	Marshall,	Williams—25.
Grey,		

On motion, the Court then adjourned until 9 o'clock to-morrow morning.

SATURDAY, February 12, 1848.

HIGH COURT OF IMPEACHMENT.

Commonwealth of Kentucky vs. John A. Duff, Surveyor of Perry county.

The Court was opened by proclamation.

The Managers attended.

John A. Duff, the respondent, attended with his counsel.

Mr. Wall moved the following resolution, which was adopted, to-wit:

Resolved, That, in order to secure despatch in the trial of John A. Duff, upon impeachment, the President of the Court shall give his opinion in all questions which may arise in the progress of the trial, which shall be taken and regarded as the opinion of the Court, unless some member thereof

shall dissent from it, in which case only, shall the question be propounded to the Court.

The counsel for the respondent filed the following objection to said resolution, to-wit:

"The counsel for the respondent, objected to the resolution as violative of the constitution—but their objection was overruled.

HARRIS, HARLAN AND BRECK."

Messrs. Hobbs, Holloway, McMillan, Todd, Thomas and Bradley, members of the Court, severally entered their dissent to the said resolution.

Messrs. Helm, Swope and Thurman, members of the Court, asked that the following protest, to the said resolution, might be entered of record, to-wit:

We think the Senate, when sitting as a High Court of Impeachment, has the power and right to designate any member of the Court, or the presiding officer of the Senate, as the organ of the Court to deliver the opinions of the Court; but we believe each individual member of the Senate constitutes an integral part of the Court. In justice to the accused, and that he may have the unbiased opinion of each member of the Court, we cannot deny to him the right of having the opinion of each member of the Court in advance of the opinion of the presiding officer, delivered as the opinion of the Court. In the decisions of legal questions we would yield to the accused every right not inconsistent with law and reason. For these reasons we protest against the resolution adopted by the Senate.

JOHN L. HELM,
SAM'L. F. SWOPE,
G. C. THURMAN.

On motion, the Court adjourned till Monday morning, 9 o'clock.

MONDAY, February 14, 1848.

HIGH COURT OF IMPEACHMENT.

Commonwealth of Kentucky vs. John A. Duff, Surveyor of Perry county.

The Court having been opened by proclamation,

The Managers attended.

The respondent, John A. Duff, and his counsel, also attended.

Mr. Andrew Monroe was admitted to a seat on the floor of the Senate for the purpose of reporting the trial.

On the motion of the Managers,

Ordered, That a *subpœna duces tecum* issue against Elisha A. Macurdy, Deputy Register, requiring him to bring into Court the original certificates

of surveys numbered as follows: 1,268, 25,106, 24,661, 24,056, 23,724, 3,850, 3,851, 3,852, 3,853, 24,043, 24,054.

Elijah Combs, Jeremiah C. Combs, James Williams, William Campbell, Samuel Campbell, Patrick B. Napier, witnesses for the Commonwealth, were severally examined and cross examined.

On motion, the Court adjourned to 9 o'clock to-morrow morning.

TUESDAY, February 15, 1848.

HIGH COURT OF IMPEACHMENT.

Commonwealth of Kentucky vs. John A. Duff, Surveyor of Perry county.

The Court was opened by proclamation.

The Managers attended.

John A. Duff, the respondent, and his counsel, attended.

On motion of the counsel for the respondent,

Ordered, That a *subpœna duces tecum* issue against A. H. Rennick, Clerk of the General Court, requiring him to bring into Court, the record of Morris Caldwell against the Register of the Land Office.

The counsel for the respondent submitted to the Court the following motion in this case, to-wit:

COMMONWEALTH OF KENTUCKY,	}	<i>Upon Impeachment.</i>
vs.		
JOHN A. DUFF.		

The said John A. Duff, by his counsel, moves the Court not to take further jurisdiction of this case, but to dismiss the same upon the following grounds, and for the following reasons, that is to say:

1. Because it appears from the evidence, which has been given to the Court, that on the 19th day of September, 1843, Jackson G. Combs was, on that day, duly appointed and commissioned Surveyor of Perry county, in the place of John A. Duff, the respondent; and that afterwards, to-wit: at the November term, 1843, of said County Court, the said Combs took the oaths of office, and executed bond as required by the then existing laws of this Commonwealth.

2. That said Jackson G. Combs has ever since exercised the duties of said office of Surveyor of Perry county, and he, and none other, has ever since been recognized, by the proper authorities of this State, as the Surveyor of Perry county.

3. That said Duff has not, since the appointment of said Combs as aforesaid, been Surveyor of Perry county.

4. That said John A. Duff was not, at the time the articles of impeachment were preferred against him by the House of Representatives, nor at any time since, Surveyor of Perry county.

5. That said John A. Duff was not, at the organization of this Court for his trial on said articles of impeachment, nor at any time since, Surveyor of Perry county.

6. That this Court cannot pronounce any judgment against said John A. Duff, as Surveyor of Perry county, when he was not in office at the time of pronouncing such judgment. HARRIS, HARLAN AND BRECK,

Counsel for Respondent.

The said motion having been fully argued by the counsel for the respondent, and the Managers in behalf of the Commonwealth,

The Court adjourned to 9 o'clock to-morrow morning.

WEDNESDAY, February 16, 1848.

HIGH COURT OF IMPEACHMENT.

Commonwealth of Kentucky vs. John A. Duff, Surveyor of Perry county.

The Court was opened by proclamation.

The Managers attended.

John A. Duff, the respondent, and his counsel, attended.

The Court being fully advised on the motion submitted by the respondents counsel to dismiss this case, for the reasons set forth in the motion, it is ordered that the same be overruled.

The opinion of the Court being taken thereon by the President, stood as follows: Yeas—2. Nays—22.

Those who voted in the affirmative, were—

Messrs. Evans,

Hambleton—2.

Those who voted in the negative, were—

Messrs. Boyd,

Bradley,

Brien,

English,

Grey,

Hardin,

Hawkins,

Helm,

Holloway,

James,

Marshall,

McMillan,

McNary,

Patterson,

Swope,

Taylor,

Thomas,

Thurman,

Todd,

Walker,

Wall,

Williams—22.

Mr. Bramlette was excused from serving as a member of the Court.

Patrick B. Napier, Stephen Campbell, Micajah Napier, Samuel Smith, Jackson G. Combs and Stephen Napier, were severally called as witnesses by the Managers, and examined and cross examined.

The Court then adjourned to 9 o'clock to-morrow morning.

THURSDAY, February 17, 1848.

HIGH COURT OF IMPEACHMENT.

Commonwealth of Kentucky vs. John A. Duff, Surveyor of Perry county.

The Court was opened by proclamation.

The Managers attended.

John A. Duff, the respondent, with his counsel, attended.

John Campbell, L. D. Smith, R. S. Brashears, William Gwynn, Benjamin Davidson and Robert Godsey, were severally introduced and examined as witnesses in behalf of the respondent.

Jesse Combs and John Higgins were introduced as witnesses on behalf of the prosecution, and examined and cross-examined.

Mr. Wall was excused from serving as a member of the Court.

The Court then adjourned to 3 o'clock to-morrow.

FRIDAY, February 18, 1848.

HIGH COURT OF IMPEACHMENT.

Commonwealth of Kentucky vs. John A. Duff, Surveyor of Perry county.

The Court having been opened by proclamation,

The Managers attended.

John A. Duff, the respondent, and his counsel, attended.

Mr. Moore, on behalf of the Managers, was heard in his argument in support of the articles of impeachment, and was followed by Mr. Breck, on behalf of the respondent.

After the conclusion of his argument, the Court adjourned until to-morrow morning at 9 o'clock.

SATURDAY, February 19, 1848.

HIGH COURT OF IMPEACHMENT.

Commonwealth of Kentucky vs. John A. Duff, Surveyor of Perry county.

The court was opened by proclamation.

The Managers attended.

The respondent, John A. Duff, and his counsel, attended.

Mr. Harlan, on behalf of the respondent, concluded the argument in his defence.

Mr. Towles, on behalf of the Managers, concluded the argument in support of the articles of impeachment.

The Court then adjourned until Monday morning 9 o'clock.

MONDAY, February 21, 1848.

HIGH COURT OF IMPEACHMENT.

Commonwealth of Kentucky vs. John A. Duff, Surveyor of Perry county.

The Court was opened by proclamation.

The Managers attended.

The respondent, John A. Duff, and his counsel, attended.

The Managers announced to the Court that they withdrew the 4th, 6th, 7th, 8th, 10th, 12th, 13th and 14th articles exhibited against said respondent Duff.

Resolved, That the Court will now pronounce judgment in the case of John A. Duff, Surveyor of Perry county, on the remaining articles of impeachment exhibited against him.

The first article was read as follows, to-wit:

That, unmindful of the solemn duties of his office, and contrary to the sacred obligation by which he stood bound to discharge them, faithfully and impartially, the said John A. Duff, Surveyor of Perry county, did, within the years 1825, 1830, 1835, 1840 and 1845, negligently fail to enter into bond and security as required by law in such cases, and hath wholly failed to execute bond since the year 1831, and hath, by such failures, committed five separate distinct misdemeanors in office, contrary to the statute, and against the peace and dignity of the Commonwealth of Kentucky.

The President of the Court then took the opinion of the members of the Court in form following: "Mr. Senator how say you, is the respondent, John A. Duff, guilty or not guilty, as charged in said first article of impeachment?"

Those who pronounced him guilty, were—

Messrs. Brien,	Holloway,	Taylor,
Grey,	James,	Thurman,
Hambleton,	Marshall,	Todd,
Hardin,	McMillan,	Walker,
Helm,	McNary,	Williams—17.
Hobbs,	Patterson,	

Those who pronounced him not guilty, were—

Messrs. Bradley,	Evans,	Swope,
English,	Hawkins,	Thomas—6.

The second article was then read as follows, to-wit:

That, unmindful of the public good, and with a view to use his office for selfish purposes, the said John A. Duff, Surveyor as aforesaid, did, on the first day of June, in the year of our Lord one thousand eight hundred and twenty five, and on divers other days and times, refuse to permit Elijah Combs, and many other citizens of the county of Perry, to examine the books and records of his office, declaring that they belonged to him, and not to the public. By means of which the said Duff has been benefitted at the expense of the public, in making confusions and confictions in appropriating the vacant lands, contrary to the statute, and against the peace and dignity of the Commonwealth of Kentucky.

The President of the Court took the opinion of the members of the Court in form following: "Mr. Senator, how say you, is the respondent guilty or not guilty, as charged in said second article of impeachment.

Those who pronounced him guilty—None.

Those who pronounced him not guilty, are—

Messrs. Bradley,	Helm,	Swope,
Brien,	Hobbs,	Taylor,
English,	Holloway,	Thomas,
Evans,	James,	Thurman,
Grey,	Marshall,	Todd,
Hambleton,	McMillan,	Walker,
Hardin,	McNary,	Williams—23.
Hawkins,	Patterson,	

The third article of impeachment was then read as follows, to-wit:

That, using his office and the power conferred upon him by the Constitution and laws, to the manifest injury and oppression of the people, and to the execution of his own selfish and sinister ends, the said John A. Duff, Surveyor as aforesaid, having been employed by a certain Stephen Campbell, to furnish the warrant, and survey for him fifty acres of vacant land, and the said Stephen Campbell afterwards having sold the right to have said land surveyed, to Samuel Campbell, and the said Samuel Campbell having clearly identified the said land to the said Duff, he, the said Duff, did, on the 10th day of June, in the year of our Lord one thousand eight hundred and forty, in the said county of Perry, wilfully and corruptly, while pretending to cover by a survey the fifty acres of vacant land the said Samuel Campbell intended to appropriate, make the survey and cover other and different land, which was poor and worthless, for the corrupt purpose of compelling the said Samuel Campbell to again employ him, the said Duff, to make another survey and furnish another fifty acre warrant, to save and cover the land which the said Duff well knew the said Campbell intended to appropriate. By means of which, the said Duff did compel the said Campbell to purchase another fifty acre land warrant, and have another survey made by the said Duff, to cover the fifty acres of land the said Samuel

Campbell wished to appropriate, and did extort from the said Campbell, in the manner aforesaid, the sum of \$28 50 cents, contrary to the statute, and against the peace and dignity of the Commonwealth of Kentucky.

The President of the Court then took the opinion of the members of the Court in form following: "Mr. Senator, how say you, is the respondent guilty or not guilty, as charged in said third article of impeachment?"

Those who pronounced him guilty, are—

Messrs. Brien,	Hobbs,	McMillan,
Grey,	James,	Patterson,
Hardin,	Marshall,	Williams—9.

Those who pronounced him not guilty, are—

Messrs. Bradley,	Helm,	Thomas,
English,	Holloway,	Thurman,
Evans,	McNary,	Todd,
Hambleton,	Swope,	Walker—14.
Hawkins,	Taylor,	

The fifth article of impeachment was then read as follows, to-wit:

That the said John A. Duff, Surveyor as aforesaid, did, on the first day of February, in the year of our Lord one thousand eight hundred and forty, in the said county of Perry, for the purpose of corrupt gain, survey for Henry Combs, 200 acres as vacant and unappropriated land, which had been surveyed by the said Duff only a few days before, for a certain Alexander Combs, and appropriated by him, which was well known to the said Duff; but the said Duff fraudulently, for the purpose of making his fees, concealed the fact of the entry and survey for Alexander Combs from the said Henry Combs, and thereby compelled him, the said Henry Combs, illegally and unjustly, to pay him, the said Duff, the sum of \$3 75 cents, for each hundred acres of the said 200 acres, to the injury of the said Henry Combs, and against the peace and dignity of the Commonwealth of Kentucky.

The President then took the opinion of the members of the Court in the form following: "Mr. Senator, how say you, is the respondent guilty or not guilty, as charged in said fifth article of impeachment?"

Those who pronounced him guilty, are—

Messrs. Brien,	James,	Patterson,
Grey,	Marshall,	Walker,
Hambleton,	McNary,	Williams—10.
Hardin,		

Those who pronounced him not guilty, are—

Messrs. Bradley,	Hobbs,	Taylor,
English,	Holloway,	Thomas,
Evans,	McMillan,	Thurman,
Hawkins,	Swope,	Todd—13.
Helm,		

The ninth article of impeachment was then read as follows, to-wit:

That the said John A. Duff did, in the year of our Lord one thousand eight hundred and forty two, on the 21st day of July, corruptly and illegally charge, and receive and extort, by means of his office, the unjust and illegal fee of ten dollars, in addition to his legal fees for getting and procuring the patents for two fifty acre surveys, for James Williams. And for the purpose of exacting the said sum from the said Williams, the said Duff did corruptly refuse to let the said Williams have the plats and certificates of said surveys, when the said Williams had an opportunity of sending them to the Register's office, without cost or charge, and by so refusing did extort and receive from the said Williams the ten dollars aforesaid, for procuring the patents aforesaid, contrary to the statute, and against the peace and dignity of the Commonwealth of Kentucky.

President of the Court then took the opinion of the members of the Court in form following: Mr. Senator, how say you, is the respondent guilty or not guilty, as charged in said ninth article of impeachment?"

Those who pronounced him guilty, are—

Messrs. Brien,	Helm,	McNary,
Grey,	Hobbs,	Patterson,
Hambleton,	James,	Williams—11.
Hardin,	McMillan,	

Those who pronounced him not guilty, are—

Messrs. Bradley,	Holloway,	Thomas,
English,	Marshall,	Thurman,
Evans,	Swope,	Todd,
Hawkins,	Taylor,	Walker—12.

The eleventh article of impeachment was then read as follows, to-wit:

That the said John A. Duff, Surveyor as aforesaid, did, on the tenth day of July, in the year of our Lord one thousand eight hundred and forty three, in the said county of Perry, corruptly extort from a certain Patrick B. Napier, furnishing the land warrant, and making a fifty acre survey, the unjust and illegal fee of fifteen dollars; and for the corrupt purpose of inducing the said Napier to give said fee, the said Duff fraudulently represented that he had entered and surveyed the same for his son Henry Duff, when in truth and in fact, he had not so entered and surveyed it, contrary to the statute, and against the peace and dignity of the Commonwealth of Kentucky.

The President of the Court then took the opinion of the members of the Court in form following: "Mr. Senator, how say you, is the respondent guilty or not guilty, as charged in said eleventh article of impeachment?"

Those who pronounced him guilty, are—

Messrs. Grey,	Hardin,	Patterson—5.
Hambleton,	McMillan,	

Those who pronounced him not guilty, are—

Messrs. Bradley,	Hobbs,	Taylor,
Brien,	Holloway,	Thomas,
English,	James,	Thurman,
Evans,	Marshall,	Todd,
Hawkins,	McNary,	Walker,
Helm,	Swope,	Williams—18.

The fifteenth article of impeachment was then read as follows, to-wit:

That the said John A. Duff, Surveyor as aforesaid, did, on the fifteenth day of June, in the year of our Lord one thousand eight hundred and thirty seven, in the said county of Perry, not having the fear of God before his eyes, alter, change and forge a fifty acre survey to an hundred acres, and did change and forge the date of said survey, and the names of the chain carriers and marker, which appears to be in the name of John Duff, and lying and being on the Lick branch of the Clear-fork of Troublesome-fork of the North-fork of the Kentucky river, in the county of Perry and State of Kentucky; and did return said altered, changed and forged survey, plat and certificate, to the Register's office, for the corrupt purpose of cheating and defrauding the Commonwealth and the county of Perry out of their vacant lands, thereby grossly abusing the high trust delegated to him by the constitution and laws, and disregarding his oath and the good of the people, contrary to the statute and against the peace and dignity of the Commonwealth of Kentucky.

The President of the Court then took the opinion of the members of the Court in form following: "Mr. Senator, how say you, is the respondent guilty or not guilty, as charged in said fifteenth article of impeachment?"

Those pronounced him guilty, are—

Messrs. Brien,	Hambleton,	McMillan—5.
Grey,	James,	

Those who pronounced him not guilty, are—

Messrs. Bradley,	Hobbs,	Taylor,
English,	Holloway,	Thomas,
Evans,	Marshall,	Thurman,
Hardin,	McNary,	Todd,
Hawkins,	Patterson,	Walker,
Helm,	Swope,	Williams—18.

The Clerk was then directed to enter the following judgment of the Court, to-wit:

COMMONWEALTH OF KENTUCKY,

vs.

JOHN A. DUFF,

} *Upon Impeachment.*

The Senate, sitting for the purpose of trying the said John A. Duff, heard the testimony, and the argument of the Managers on the part of the House of Representatives, and the counsel for the accused, and being now sufficiently advised of, and concerning said cause, do adjudge—that the said John A. Duff, as Surveyor of Perry county, is guilty of a misdemeanor in office on

charge No. 1, and not guilty of charges No. 2, 3, 5, 9, 11 and 15. There being no proof offered as to the other charges, they were withdrawn by the Managers. But the Senate being satisfied that the said John A. Duff has, since the commencement of the prosecution, voluntarily resigned his said office, the judgment of the Senate is not deemed necessary on the question of removal. But because the said John A. Duff has been guilty of a misdemeanor, it is ordered and adjudged, that the said Duff pay the costs of the prosecutor by him in his behalf expended. The Clerk is hereby directed, in taxing the costs in this case, not to include any portion of the amount paid to witnesses under the provisions of an act of Assembly, passed at the present session.

The opinion of the members of the Court, upon rendering the judgment aforesaid, being taken, were as follows: Yeas—17. Nays—6.

Those who voted in the affirmative, were—

Messrs. Brien,	Holloway,	Taylor,
Grey,	James,	Thurman,
Hambleton,	Marshall,	Todd,
Hardin,	McMillan,	Walker,
Helm,	McNary,	Williams—17:
Hobbs,	Patterson,	

Those who voted in the negative, were—

Messrs. Bradley,	Evans,	Swope,
English,	Hawkins,	Thomas—6.

Mr. Swope moved the Court to have the following papers entered of record, which was accordingly so ordered, to-wit:

I am of opinion that the proof adduced, on the part of the prosecution, against John A. Duff, is not sufficient to authorize his conviction on the articles of impeachment, or any one of them. It is true he failed to give bond as required by the act of 1810; and that act makes the failure to give bond a misdemeanor in office, for which he *may* be removed, by impeachment; but surely it was not intended to subject the officer to the consequences of an impeachment, for a mere failure to give the bond, without improper intent; no such improper intent has been proved, or can, from the proof, be imputed. And the proof on the other charges not being sufficient, in my opinion, to authorize his conviction, I must dissent from the judgment directed by a majority of the Court to be entered up against him.

SAML. F. SWOPE.

We fully concur in the above opinions.

J. R. HAWKINS,
JOHN J. THOMAS.

The failure of Duff to renew his bond did not, in my opinion, vacate his office. The bond executed by him, in 1831, was a valid and subsisting bond at the time his office was declared vacant by the Perry County Court. At that time he claimed to be, and was, in fact, the Surveyor of the county, and

although the failure to renew his bond, as required by the act of 1810, was a misdemeanor in office, yet the County Court had no authority whatever to pronounce upon it and declare the office vacant. There was no abandonment of the office by Duff; on the contrary, he had actively discharged the duties thereof, claimed to be the Surveyor of the county, and protested against the proceedings of the Perry County Court. The unauthorized proceedings of the County Court could not have the effect to oust him of his office which he had exercised, held, and claimed, by constitutional right. In truth he was, and continued to be, the constitutional Surveyor of Perry county until he terminated his official existence, by resigning his office, after the impeachment was preferred against him. By his resignation, the primary object of the impeachment has been attained, but the secondary object has not. Notwithstanding his resignation, it is competent for the Senate to enquire into the truth of the charges against him, and pronounce judgment of disqualification to hold office hereafter, if he shall be found guilty, and charge him with the cost of prosecution. SAM'L. F. SWOPE.

Mr. English moved to have his dissent entered of record, which was ordered accordingly:

COMMONWEALTH OF KENTUCKY,)

vs.)

JOHN A. DUFF,)

Impeachment for high crimes and misdemeanors as Surveyor of Perry county.

After hearing the testimony and argument of the counsel, the judgment of the undersigned, as one of the members of the High Court of Impeachment, is—that this Commonwealth has failed to make out such a case as would justify the Court in coming to the conclusion that the said Duff is guilty of any, or either of the charges, as in manner and form set forth in the said articles of impeachment against him; therefore, the said prosecutor should pay the costs that have accrued in this cause. S. S. ENGLISH.

On the motion of the Managers,

It is ordered that the Clerk of this Court renew the execution for the costs at the last session of the Legislature, against the respondent Duff, directed to the Sheriff of Perry county.

The Court then adjourned *sine die*.

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